



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.19325 OF 2024

Lavnya Vijay Mhaskar

... Petitioner

Versus

State of Maharashtra and Ors.

... Respondents

Adv. Balwant Salunkhe, for the Petitioner.

Mr. N. C. Walimbe, Addl.G.P a/w Smt. D. S. Deshmukh, AGP, for
the Respondents-State.

**CORAM : M. S. KARNIK &
S. M. MODAK, JJ.**

DATE : 2nd FEBRUARY, 2026

P.C. :

1. Heard learned counsel for the parties.
2. The challenge in this Petition is to the invalidation of the caste claim of the Petitioner as belonging to the 'Malhar Koli, Scheduled Tribe'. Learned counsel for the Petitioner invited our attention to the grounds raised in the Writ Petition. One of the ground on which the Petitioner claims to be of 'Malhar Koli, Scheduled Tribe' is that her blood relatives from the paternal side viz. Manohar Ladaku Mhaskar and cousin uncle viz. Adesh Mitharam Mhaskar have been granted the caste validity certificates which support the claim of the Petitioner. It is stated in the Petition

that at the time of scrutiny of the Petitioner's claim, these documents were not available with the Petitioner which he came to his knowledge subsequently.

3. Learned AGP argued in support of the impugned order. It is submitted that the materials relied upon by the Petitioner do not support the caste claim of the Petitioner and therefore there is no reason to interfere with the order passed by the Scrutiny Committee. It is further the submission that, if it is the case that Petitioner's relatives from the paternal side are issued certificates of validity, this contention be rejected as their names do not find place in the genealogy tree as submitted before the Scrutiny Committee and moreover the relationship has not been established.

4. The Petitioner relied upon the certificates of validity of her close blood relatives from the paternal side. In the interest of justice and with a view to give an opportunity to the Petitioner to establish her caste claim on the basis of the claim that caste validity certificates issued in favour of her blood relatives from the paternal side in the light of law laid down in **Maharashtra Adiwas**
Thakur Jamat Swarakshan Samiti vs. State of Maharashtra and

Others¹ and Apoorva d/o Vinay Nichale vs. Divisional Caste Certificate Scrutiny Committee No.1 and others², we inclined to quash and set aside the impugned order and remit the matter for consideration of the Scrutiny Committee afresh.

5. The impugned order is quashed and set aside. The Petitioner to appear before the Scrutiny Committee on 9th February 2026 at 11:00 a.m. The Petitioner to place the additional materials for consideration of the Scrutiny Committee. It is made clear that we have not made any observations on merits. It is for the Petitioner to establish the relationship with the relatives from the paternal side who are issued the validity certificates. The caste claim of the Petitioner for the grant of certificate of validity be decided within a period of six months from 9th February 2026.

6. All contentions are kept open.

7. The Writ Petition is disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)

¹ (2023) 16 SCC 415

² 2010(6) Mh.L.J. 401