



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 5423 OF 2024

Yash s/o Nishikant Nande,
Aged about 17 years, Minor
Through his Natural Guardian Father -
Shri Nishikant s/o Sheshrao Nande,
Aged about 42 years, Occ.-Agriculturist,
R/o. Takli, Tah. Seloo,
District - Wardha.

.... **PETITIONER**

// **VERSUS** //

- 1) **State of Maharashtra,**
Through Department of Social
Justice and Special Assistance,
Wardha, Tah. and District Wardha.
- 2) **The District Caste Certificate
Scrutiny Committee, Wardha,**
Through its President,
Tah. and District - Wardha.

.... **RESPONDENTS**

Mr. S. K. Bhoyar, Advocate for the Petitioner.
Mr. N. R. Patil, Assistant Government Pleader for
the Respondents.

**CORAM : SMT. M.S. JAWALKAR, AND
NANDESH S. DESHPANDE, JJ.**

DATE : 03rd FEBRUARY, 2026.

ORAL JUDGMENT : (Per : SMT. M.S. JAWALKAR, J.)

1. Heard learned Counsel for the Petitioner and learned
Assistant Government Pleader for the State.

2. **RULE.** Rule made returnable forthwith. Heard finally with the consent and request of the learned Counsel for the parties.

3. By this Petition, the Petitioner is challenging the order dated 27/03/2024, passed by the Respondent No.2 – the District Caste Certificate Scrutiny Committee, Wardha, thereby invalidating the tribe claim of the Petitioner that he belongs to ‘Kunbi’, a tribe recognized as Other Backward Class.

4. It appears that the document pertaining to year 1909-10 was not filed along with the proposal, which is subsequently revealed. Moreover, the Scrutiny Committee has not considered the explanation dated 09/09/2024 given by Sheshrao Nande, grandfather of the petitioner, which is filed subsequent to passing of the order. The learned Counsel for the Petitioner drew our attention to the Validity Certificate issued to one Ku. Sima Sheshrao Nande, paternal aunt of the Petitioner. It is alleged by the learned Assistant Government Pleader that there is some disparity in the family tree produced by the Petitioner.

5. In view of this old document of 1909-10, we deem it appropriate to remit the matter back to the Caste Scrutiny Committee for fresh consideration.

6. Accordingly, we proceed to pass the following order :

- (i) The writ petition is partly allowed.
- (ii) The impugned order dated 27/03/2024, passed by the Respondent No.2 – the District Caste Certificate Scrutiny Committee, Wardha, in case No. जिजाप्रपस,वर्धा / डब्ल्यू.आर / ई.डी.-1/1128481/2023 is hereby quashed and set aside.
- (iii) The Respondent No.2 - District Caste Certificate Scrutiny Committee, Wardha is hereby directed to consider the claim of the petitioner afresh.
- (iv) The Petitioner is permitted to place on record the copy of P-1 Register of the year 1909-10 and any other documents if available to the Committee.
- (v) The Respondent No.2 - District Caste Certificate Scrutiny Committee, Wardha is hereby directed to consider all the material afresh if required by conducting vigilance.
- (vi) The Petitioner is directed to appear before the Respondent No.2 - District Caste Certificate Scrutiny Committee, Wardha on 16/02/2026.

- (vii) The Respondent No.2 - District Caste Certificate Scrutiny Committee, Wardha is hereby directed to decide the issue within a period of six months from the date of production the copy of this order.

7. The writ petition stands disposed of in the above terms. No order as to costs.

(NANDESH S. DESHPANDE, J.)

(SMT. M.S. JAWALKAR, J.)

Kirtak