



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 3312 OF 2025

Akshata D/o Gajanan Narwade,
Aged 19 years, Occ.:Student,
R/o. Mahagaon, Tq. Mahagaon,
District-Yavatmal.

...PETITIONER

VERSUS

1. District Caste Certificate Scrutiny
Committee, Yavatmal,
Through its Member Secretary
District - Yavatmal.
2. Babasaheb Naik College of Engineering,
Pusad, Tq. Pusad, District Yavatmal,
Through its Principal.

...RESPONDENTS

Shri A.B. Patil, Advocate for petitioner
Ms H.N. Jaipurkar, Advocate for respondent/State
Shri Pritesh Atkar, Advocate for respondent No.2

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

RESERVED ON : **23.04.2026**
PRONOUNCED ON : **05.05.2026**

JUDGMENT (PER : NANDESH S. DESHPANDE, J.)

Heard.

2. **Rule.** Rule is made returnable forthwith. Heard finally with the consent of parties.

3. The present petition challenges the order dated 27.03.2025, passed by the respondent No.1, Scrutiny Committee. It also prays for a direction to the said Committee to issue a validity certificate to the petitioner, being a person belonging to 'Kunbi' caste.

4. The facts, as can be seen from the petition, are as under :

On 30.05.2024, the petitioner submitted an application online to the respondent No.1 Scrutiny Committee for verification of her claim as 'Kunbi', which is recognized as Other Backward Class people. Along with the said application, the petitioner submitted all the necessary documents and affidavit. On 25.02.2025, the vigilance cell conducted verification of document as also home enquiry. On 11.03.2025, after receiving the vigilance cell report, the respondent Committee issued a show cause notice

calling upon her to submit an explanation. However, in the said show cause notice, nothing adverse was pointed out which would require an explanation. In view of the said fact, the petitioner requested the committee to issue a validity certificate. However, surprisingly, the respondent No.1 on 27.03.2025, passed an order thereby rejecting the claim. It is this order which is impugned in the present petition on various grounds.

5. We have heard Shri A.B. Patil, learned Counsel for the petitioner, Ms H.N. Jaipurkar, learned Assistant Government Pleader, and Shri Pritesh Atkar, learned Counsel for the respondent No.2.

6. The learned Counsel for the petitioner submits that the order of the Scrutiny Committee cannot withstand the scrutiny of law in as much as it is not supported by any justifiable reason. He further submits that the only reason as is set out in the impugned order is that the petitioner does not possess a document pertaining to the period prior to 1967, and further, documents there is mention of singular entry.

7. Per contra, the learned Assistant Government Pleader supports the impugned order. In her submission, the petitioner had submitted a xerox copy of one Kotwal Certificate in respect of a male child, namely, Datta, born to one Maroti Kunbi on 18.11.2020, but it was discarded it being a single name entry and the surname is not mentioned in the document. She further submits that the petitioner could not establish the relationship with the persons named in the said document. Apart from this, there are no such documents prior to the year 1961, which can prove that the Kotwal book belongs to the petitioner's family. In nutshell, she supports the impugned order.

8. We have given our thoughtful consideration to the contentions canvassed by the respective parties, and also gone through the record. The reason which has spelt out with the Committee for rejecting is by discarding the document dated 18.11.2020, in which a male child is shown to be born to one Maroti Kunbi, but since it is a singular entry, the same has not been taken into consideration. In our view, the said reason cannot be countenanced, since firstly, the vigilance cell report clearly spelt out that there is a mention of a name in the Kotwal book, and therefore

it was not open for the Committee just to reject the said entry on the basis of it being singular entry. We have also gone through the said document, which is the bone of contention. It is clearly spelled out that the caste being 'Kunbi' and therefore the reason of it only being singular in nature for discarding the same, in our view, is not supported. Furthermore, the Scrutiny Committee also did not take into consideration that the cousin of the petitioner, namely, Yash Suresh Narwade, had already been granted validity. The Committee also failed to appreciate that even though the name is singular in nature, but the place is the same and therefore ought not to have gone into the said aspect. The Committee in our view, has proceeded hyper technically and only to see to it that the claim of the petitioner is somehow rejected.

9. In that view of the matter, the order is perverse, and it is liable to be set aside under extraordinary jurisdiction. We, therefore, pass the following order:

ORDER

i) The impugned order dated 27.03.2025, passed by the respondent No.1 Scrutiny Committee, is quashed and set aside.

ii) The Scrutiny Committee is further directed to issue a validity certificate to the petitioner certifying that she belongs to 'Kunbi' caste within four weeks from the date of the order, which comes in Other Backward Classes.

10. Rule is made absolute in the above terms.

(NANDESH S. DESHPANDE, J.)

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

Jayashree..