



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 5149/2025

- 1) Pooja d/o Kishor Sattiwale,
Aged about 19 years, Occ. Student,
Resident of Gujaratipura,
Balapur, Taluka Balapur,
District Akola.

... **PETITIONER**

...VERSUS...

- 1) State of Maharashtra through its
Secretary, Ministry of Tribal
Welfare And Social Justice
Department, Mantralaya,
Mumbai-400032.
- 2) District Caste Certificate Scrutiny
Committee, Akola having its office in
the premises of Collectorate,
Administrative Building, 2nd Floor,
Akola-444001 through its Member-
Secretary/Research Officer.
- 3) Prof. Ram Meghe Institute of
Technology and Research, Badnera
Road, Amravati through its Principal.
- 4) Sant Gadge Baba Amravati University,
Amravati through its Registrar.
- 5) State Common Entrancer Test
Cell, 8th Floor, New Excelsior
Building, Mumbai-400001, M.S.

Amendment carried
out as per Court's
Order dt.17.11.2025

...**RESPONDENTS**

Mr. N. C. Phadnis, Advocate for the petitioner
Mr. A. S. Fulzele, Addl. G.P. for respondent nos. 1 and 2/State
Mrs. Sonali Saware, Advocate for the respondent no. 4
Mr. Nikhil Gaikwad, Advocate for the respondent no. 5

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

DATED : 27nd JANUARY, 2026.

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

1. **Rule.** Rule is made returnable forthwith. Heard finally with the consent of the learned counsel for the parties.
2. The petition takes exception to the order passed by the respondent No. 2 – District Caste Certificate Scrutiny Committee, Akola, bearing No. 1587, having Case ID No. ED-2024-1567911, dated 08.07.2025 (order of the Committee dated 03.07.2025). The petitioner, on the basis of old documents and on the basis of validity granted to near relatives, prayed for validation of her caste claim before the respondent No. 2–Committee, which, by the impugned order, has invalidated the same, constraining the petitioner to approach this Court.
3. We have heard Mr. N. C. Phadnis, learned counsel for the

petitioner, as also Mr. A. S. Fulzele, learned Additional Government Pleader for respondent Nos. 1 and 2/State; Mrs. Sonali Saware, learned counsel for respondent No. 4, and Mr. Nikhil Gaikwad, learned counsel for respondent No. 5.

4. Learned counsel for the petitioner, by taking us through the impugned order and, more particularly, the list of documents at Serial Nos. 7 and 8, submits that the reason for discarding the said documents, which happen to be dated 03.04.1937 and being the oldest ones, is that there is some variance in the name of Laxmanlal Moti Ahir. He further submits that, as far as discarding the claim of the near relatives is concerned, the only reason is that, as per the genealogical tree submitted by the petitioner, the relationship inter-se is not established. He further points out the affidavit filed before the Scrutiny Committee, which has an acknowledgment of the said Committee, clearly stating that the name of Laxmanlal Motilal Ahir is the grandfather of the petitioner, while Khushal Madan Sattiwale, Kartik Madan Sattiwale, and Khushi Kishorlal Sattiwale happen to be the real sister and cousins of the petitioner. He, therefore, submits that the order of the Scrutiny Committee cannot withstand the scrutiny of law.

5. Per contra, the learned Additional Government Pleader, Mr. A. S. Fulzele, submits that the Caste Scrutiny Committee was correct in appreciating the contentions on the basis of the documents on record, and therefore, no infirmity can be found in the said order.

6. We have considered and appreciated the contentions canvassed by the learned counsels for the respective parties. We have also gone through the admission register placed by the petitioner on record, which clearly mentions the name of Laxman Moti and his caste as Ahir. As can be seen from the genealogical tree reflected in the affidavit mentioned supra, as also in the petition, Laxman happens to be the grandfather of the petitioner. It is, therefore, clear that the relationship of Laxman with the petitioner was clearly established. This aspect also is to be appreciated in the light of the fact that the said genealogical tree and the relationship inter se, as depicted therein, were never disputed by the Vigilance Cell or by the Scrutiny Committee.

7. The same is the case while discarding the validity granted to

the near relatives. The relationship inter se between the said persons named supra, as also the petitioner, was clearly established by the genealogical tree filed by the petitioner by way of an affidavit. The order, in our view, is therefore perverse, inasmuch as it clearly disregards the relationship inter se between the parties. The order being perverse is liable to be interfered with under Article 226 of the Constitution of India.

8. This Court, vide order dated 8th September, 2025, protected the admission of the petitioner, in pursuance of which the petitioner is pursuing her education. The learned counsel for the petitioner submits that, till the time the Scrutiny Committee issues a validity certificate, the respondent Nos. 3 and 4 be directed to act upon the certified copy of the order of this Court. We, therefore, pass the following order:—

ORDER

- i) The Writ Petition is allowed.
- ii) Order passed by the respondent no. 2 - District Caste

Certificate Scrutiny Committee, Akola, bearing no. 1587 having Case ID No.ED-2024-1567911 dated 08.07.2025 (03.07.2025 order of the Committee) is quashed and set aside.

iii) It is hereby declared that the petitioner belongs to “Ahir Nomadic Tribes-C”.

iv) The respondent no. 2 - District Caste Certificate Scrutiny Committee, Akola, is directed to issue a caste validity certificate to the petitioner within four weeks from the date of this order.

v) We, therefore, direct the respondent Nos. 3 and 4 to act upon the certified copy of the order of this Court till the time the validity certificate is issued by the respondent No. 2 – Committee.

vi) Rule is made absolute in above terms, the Writ Petition is disposed of.

(NANDESH S. DESHPANDE, J.)

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

Shubham