



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

WRIT PETITION No.5614 OF 2025

1. Vishal Namdeo Gopewad,
Age - 30 Years,
Occ - Education.
2. Pooja Namdeo Gopewad,
Age - 27 years,
Occ – Education.

Both R/o. at post Dhanki,
Tq. Umarkhed, Dist. Yawatmal. : PETITIONER

...VERSUS...

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
(Social Justice Department),
Mantralaya, Mumbai - 32.
2. The Joint Commissioner,
Scheduled Tribe Certificate Scrutiny
Committee, Yavatmal.

Office Address: Sai Uttam Villa,
House No. 3, Near Rangoli Ground,
Shastri Nagar, Yavatmal,
Pin – 445 001.

3. The Sub Divisional Officer,
Umarkhed, Tq. Umarkhed,
Dist. Yavatmal. : RESPONDENTS

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Mr. M.V. Thorat, Advocate for Petitioner.
Mr. A.S. Fulzele, Additional Government Pleader for Respondents.

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CORAM : SMT. M.S. JAWALKAR AND NANDESH S. DESHPANDE, JJ.
DATE : 03rd FEBRUARY, 2026.

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

1. Rule. Rule made returnable forthwith. Heard finally by consent of parties.
2. The petition under Article 226 of the Constitution of India challenges the order dated 04.04.2025, passed by the Scrutiny Committee, Yavatmal, No.स.आ/अ.ज.त.स.यवत/अपिल/24/29/2024 whereby the Scrutiny Committee has confirmed the order of the Sub-Divisional Officer passed on 10.11.2023 thereby denying the caste certificate of 'Koli Mahadev' to the petitioner.
3. It is the contention of the learned counsel for the petitioner that certain documents which had a bearing on the outcome of the matter and more particularly document which is filed at Page 81 of this petition (पाहणीपत्रक) dating back to the year 1942 could not be filed before the Sub-Divisional Officer for the reason that there was a medical emergency in the family. Since there were no grounds or necessary pleadings, vide order dated 12.01.2026, we had permitted the petitioner to amend the petition. Accordingly, the petition has been amended. By way of amended portion, the petitioner has stated that there was sudden death in

the immediate social circle of one Shri Bhagwan Sambha Vaidya on 24.03.2025. Furthermore, it is stated that the petitioner was required to travel outside the State for submission of education related documents at Bangalore. Thus, the petitioner prays that in spite of best efforts, and due to exigency as stated in the petition, the documents could not be filed.

4. Per contra, learned Additional Government Pleader Mr. A.S. Fulzele, for the respondents while vehemently opposing the contentions canvassed by the learned counsel for the petitioner states that even on earlier occasion, this Court in Writ Petition No.4335/2023 had remanded the matter back to the Sub-Divisional Officer. He submits that the petitioner was not diligent in prosecuting the matter and did not file relevant documents which are sought to be filed first time before this Court.

5. We have considered the contentions canvassed by the learned counsel for the parties. True, it is that the matter stood remanded once. It can also be seen from the order of the Sub-Divisional Officer that it has considered the documents and more particularly the contra entries depicting caste 'Koli'. However, by way of last chance and to grant one final opportunity to the petitioner, we remand the matter to the Sub-Divisional Officer for deciding the caste claim of the petitioner afresh.

6. In that view of the matter, we pass the following order :

ORDER

(i) The Writ Petition is allowed.

(ii) The order dated 10.11.2023 passed by the Sub-Divisional Officer, Umerkhed thereby rejecting the caste claim of the petitioner is quashed and set aside. So also the order dated 04.04.2025 passed by the Caste Scrutiny Committee No.स.आ/अ.ज. त.स.यवत/अपिल/24/29/2024 No.24/29/2024 is quashed and set aside.

(iii) The matter is relegated to the Sub-Divisional Officer for deciding it afresh.

(iv) The petitioner is directed to place all the relevant documents/additional documents in support of his caste claim as 'Koli Mahadev'.

(v) It is made clear that this would be the last opportunity for the petitioner and no further opportunity would be granted. The Sub-Divisional Officer would proceed with the matter afresh and in accordance with law.

(vi) The petitioner is directed to appear before the Sub-Divisional Officer on 12th February, 2026 and then further

abide by the directions given by the said authority.

7. Rule is made absolute in the aforesaid terms. The petition is accordingly disposed of. There shall be no order as to costs.

(NANDESH S. DESHPANDE, J.)

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