



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

WRIT PETITION NO. 5952 OF 2025

PETITIONER :

Bharat s/o Digambar Mukpalli, Aged 31 years, Occ. Service R/o Adarsh Nehru Nagar, Congress Nagar Road, Amravati, District- Amravati.

-Versus-

RESPONDENTS :

- 1) District Caste Certificate Scrutiny Committee, Amravati, B Wing, First Floor, Dr. Babasaheb Ambedkar Samajik Nyay Bhavan, Camp Road, Amravati, Through its Research Officer and Member Secretary.
- 2) The District Civil Surgeon, General Hospital, Amravati.

Shri R.D.Karode, Adv. for the petitioner.
Mr.N.R.Patil, AGP for the respondents-State.

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

**CLOSED ON : 12TH JANUARY, 2026
PRONOUNCED ON : 19TH JANUARY, 2026**

J U D G M E N T (Per : Smt. M. S. Jawalkar, J.)

Heard.

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

3. By this petition, the petitioner is challenging the order dated 28.08.2025 passed by the respondent No.1-Caste Scrutiny Committee, thereby invalidating his caste claim of belonging to 'Telangi' Scheduled Tribe, as enlisted in the list of Nomadic Tribe (C) in Constitutional (S.T.) Order, 1950.

4. On the basis of the caste certificate issued to the petitioner on 26.12.2012 by the Sub-Divisional Officer, Amravati, the petitioner was appointed on the post of Laboratory Attendant (Group D) in the respondent No.2-Hospital (Employer) vide appointment order dated 14.01.2025. The Tribe Claim of the petitioner was forwarded for scrutiny to the respondent No.1 through his employer on 28.02.2025 along with all the requisite documents.

5. The petitioner has submitted following documents pertain to pre-independence period in support of his Tribe Claim:

Sr. No.	Description of Document	Caste	Date
1.	Birth Extract of male child born to Ilayya	Telangi	17.10.1918
2.	Death Extract of Hariswami S/o Yellaya	Telangi	25.09.1946
3.	Extractd of Dakhal Kharij Register of Arunkumar Balraj	Telangi Hindu	06.01.1948
4.	Extract of Dakhal Kharij Register of Jagdishkumar Balraj	Telangi Hindu	05.01.1949
5.	Promotion Letter of Balraj	Telanga	03.04.1941

6. Apart from the old documents, the petitioner has also submitted Validity Certificate issued in favour of Dipak Arun Mukpalli (Cousin Brother of Petitioner) by the respondent No.1-Committee on 18.02.2013. After enquiry, the Vigilance Cell submitted its report dated 18.07.2025 to the respondent No.1-Committee, wherein the Research Officer has raised objection in respect of the affinity of the petitioner.

7. The petitioner submitted his written explanation to the Vigilance Enquiry Report on 14.08.2025, wherein he explained the entries of 'Mannewar' and 'Telugu' found in certain documents submitted by the petitioner. However, the respondent No.1-Committee invalidated the tribe claim of the petitioner by its order dated 28.08.2025.

8. It is the contention of the petitioner that the respondent No.1-Committee has invalidated the tribe claim of the petitioner only on the ground of affinity, and while doing so, recorded the statements of two persons from the area of the petitioner during the house enquiry, who were not related to the petitioner.

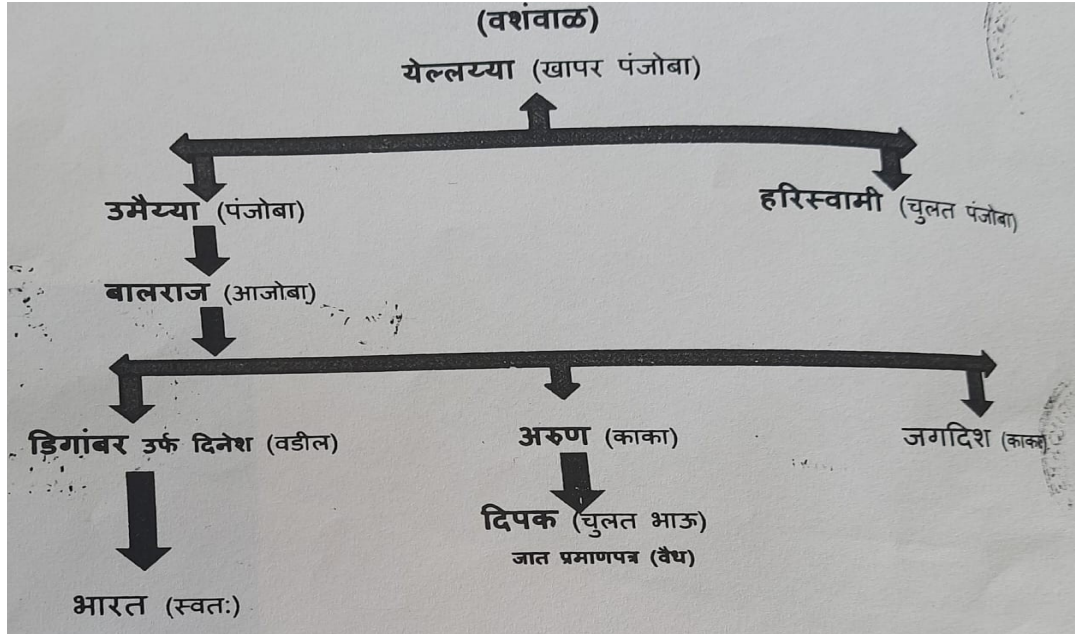
9. The learned counsel for the petitioner relied upon the following Citations:

- (i) ***Bhavini Raviprakash Sangekar v. District Caste Certificate Scrutiny Committee, Akola*** (Writ Petition No.5226/2025 decided on 09/12/2025)
- (ii) ***Grishma Dharmendra Firangi v. District Caste Certificate Scrutiny Committee, Akola and others*** (Writ Petition No.3917/2025 decided on 16/12/2025).

10. The respondent No.1-Committee has not filed its reply to the present petition. Further, the respondent No.1-Committee, in their invalidation order dated 28.08.2025, has relied on a judgment in ***Onkar s/o Yogesh Mallekar v. The District Caste Certificate Scrutiny Committee and others*** (Writ Petition No.4372 of 2022 decided on 11/06/2024) passed by this Court, in support of their contentions. The learned AGP submits that the order passed by the Scrutiny Committee is just and reasonable and prayed for dismissal of the present petition.

11. Heard both the parties at length, perused the record and proceeding of Caste Scrutiny Committee and examined the documents and citations relied upon by their respective counsel.

12. For the sake of convenience, the family tree is reproduced as under:



13. Perusal of record, it appears that there is one validity certificate dated 18/02/2013 (Pg.42) issued in favour of one Dipak Arun Mukpalli real cousin brother of the petitioner. The said caste validity certificate was not considered by the Scrutiny Committee on the ground that in the school record of the petitioner, the caste is mentioned as 'Beldar'. It is contended that there was no vigilance enquiry conducted in the case of Dipak Arun Mukpalli. Therefore, the benefit of the said certificate cannot be granted to the present petitioner. Though the Scrutiny Committee has accepted that there is entry of 'Telangi' caste in the school leaving certificate of Arunkumar Balraj admitted on 29/07/1955, this document was not considered, in view of entry of Beldar in the school leaving certificate of the petitioner is mentioned. However, on perusal of the school leaving

certificate of the petitioner, it appears that the entry of caste Mannewar is mentioned in the year 1999. Therefore, the document dated 29/07/1955 will prevail over subsequent entries. Another oldest entry is of 1918. It appears that this document is not mentioned in the list of documents produced by the petitioner. However, it appears from the reply of the petitioner that this documents is mentioned. Another document is an extract of death register of the year 1918 pertaining to Umaiyya Elayya. However, there is some discrepancy in the date of death and issuance of certificate, therefore, that cannot be considered. Even if the said document of 1918, which is an extract of death register cannot be considered, there is extract of death register pertaining to Hariswami S/o Elayya dated 25/09/1946 showing his caste as Telangi. Then admit cancel register of Arunkumar Balraj dated 06/01/1948 is also showing the entry of caste as Telangi. The extract of Dakhal Kharij Register of Jagdishkumar Balraj dated 05/01/1949 and one promotion letter of Balraj Umaiyya dated 03/04/1941. All these documents showing the caste as 'Telangi'. There is no contra entry procured by the Vigilance Cell during its enquiry.

14. Admittedly, Telangi sub-caste is found in the Beldar NT-B and Dhangar NT-C categories. The petitioner is claiming that he

belongs to Telangi Dhangar. What is observed by this Court in ***Onkar S/o Yogesh Mallekar v. the District Caste Certificate Scrutiny Committee and others*** (supra) in para 8 as under:

“8. Thus, the crucial question arises in which categories/castes the "Telangi" Sub-caste falls. Whether in the Beldar 'NT-B' or Dhangar 'NT-C' categories. It seems that the main factor in determining the controversy is to ascertain the petitioner's traditional occupation; therefore, it is necessary to scrutinize the affinity test and the traditional occupation of the petitioner.”

15. We have gone through the report of the Vigilance enquiry. In answer to traditional occupation, it was written as ब्रिटीश पलटण (फौजी), मजुरी कोंबडी, बकरी पालन करणे. ‘Beldar’ occupation is nowhere mentioned. The Scrutiny Committee on its own presumed that as the word is used as ‘मजुरी’ (labour), and as in the school record of the petitioner, the caste is mentioned as Beldar, therefore, their traditional occupation is masonry work. Much emphasis laid on the judgment in ***Onkar S/o Yogesh Mallekar v. the District Caste Certificate Scrutiny Committee and others*** (supra), however, this Court made it clear that whether caste Telangi falls in NT-B or NT-C categories depends on traditional occupation. The main factor in determining the controversy is to ascertain the petitioner’s traditional occupation. In the present matter while answering the questions as discussed above,

it is specifically mentioned that traditional occupation is ब्रिटीश पलटण (फौजी), मजुरी कोंबडी, बकरी पालन करणे. From this answer, it would be presumed that 'मजुरी' (labour work) mentioned as masonry work. It has to be considered that they are having occupation of goat/sheep farming also. As such, conclusion drawn by the Scrutiny Committee itself is erroneous. Even on perusal of the school record of the petitioner, there is mention of Mannewar, which is also explained by the father of the petitioner in his affidavit dated 27/02/2025. In view thereof, there is no substance in the contention of the Scrutiny Committee for the reason that there is no mention of caste as 'Beldar' in the school leaving certificate of the petitioner. Moreover, so far as the caste mentioned as Mannewar, the explanation to that effect on affidavit is already given. The respondent-Scrutiny Committee has not considered all these aspects and held that it is squarely covered by the judgment of *Onkar S/o Yogesh Mallekar v. the District Caste Certificate Scrutiny Committee and others* (supra). In our considered opinion, the facts involved in the matter of *Onkar S/o Yogesh Mallekar v. the District Caste Certificate Scrutiny Committee and others* (supra) are different, wherein it appears that their traditional occupation is mentioned as Beldar. It also appears that the Caste Scrutiny Committee somehow wants to reject the claim of the

petitioner and though there was no mention of Beldar caste, it is observed by the Scrutiny Committee that in school record of the petitioner, the caste is mentioned as Beldar.

16. The learned counsel for the petitioner relied on judgment of this Court in *Bhavini Raviprakash Sangekar v. District Caste Certificate Scrutiny Committee, Akola* (supra), wherein this Court held as under:

“6. The documents produced by the petitioner consistently show the caste as "Telangi" Nomadic Tribe-C. However, one document of the year 1954 pertaining to her grandfather shows the caste as 'Telgu'. It will be useful to refer to the decision of this Court (Nagpur Bench) in the case of **Anil Ramdas Mede vs. State of Maharashtra and others**, reported at **2004 (4) All MR 639** wherein, it is held that 'Telgu' is not a caste, it is an official language. This fact has also been accepted by the learned Addl.G.P. Therefore, in our view, the Committee has erroneously treated the entry 'Telgu' in the document of the year 1954 as the caste of the petitioner. As such, the said finding does not stand to the reason.

7. So far as the second reason for rejection of the claim is concerned, once it is established that a particular community practices the profession of animal husbandry, it is sufficient to establish that such community would fall under Nomadic Tribe-C. There was no reason for the Committee to go into the fact whether the ancestors of the petitioner were travelling from one place to another when it was found in the vigilance enquiry report that his ancestors practiced the occupation of animal husbandry.”

17. The learned counsel also placed reliance on the judgment in

Grishma Dharmendra Firangi v. District Caste Certificate Scrutiny Committee, Akola and others (supra), wherein also same view is endorsed.

18. Though there is no reply filed by the learned AGP for the Scrutiny Committee, orally he has submitted that there is no error in the order passed by the Scrutiny Committee. He also made a statement that the petitioner is resident of Frezarpura, Amravati, which is known for mason. However, this submission cannot be accepted because every matter has to be decided on the basis of documents and evidence produced on record. As such, general assumption cannot be derived.

19. As such, we are satisfied that the order passed by the Scrutiny Committee is not only erroneous, but also perverse and is liable to be quashed and set aside. Accordingly, we pass the following order.

ORDER

(I) The petition is allowed.

(II) The impugned order dated 28/08/2025 passed in Case No.SE-2025-101253 by the respondent No.1-District Caste Certificate Scrutiny Committee, Amravati is hereby quashed and set

aside.

(III) It is held and declared that the petitioner has duly established that he belongs to “Telangi” NT-C caste.

(IV) The respondent No.1-District Caste Certificate Scrutiny Committee, Amravati is hereby directed to issue caste validity certificate to the petitioner of belonging to Telangi NT-C caste within a period of four weeks.

(V) The interim protection granted vide order dated 06/10/2025 in respect of services of the petitioner is hereby confirmed.

20. Rule is made absolute in the above terms. No costs.

(NANDESH S. DESHPANDE, J)

(SMT.M. S. JAWALKAR, J)