



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

WRIT PETITION NO. 7858/2025

Manoj Madhukar Jumale,

Aged 34 years, Occ.
Agriculturist, R/o. Lakhonda
(BU), Tah. & Dist. Akola

.....PETITIONER(S)

// VERSUS //

(1) The Scheduled Tribe Caste
Certificate Scrutiny Committee,
Through its Member/ Secretary,
Bhatkuli Road, Amravati,
District Amravati

(2) The Sub-Divisional Officer,
Akola, Tq. & Dist. Akola

.....RESPONDENT(S)

.....
Shri G.N. Upadhyay, Advocate for the Petitioner(s)
Ms. H.N. Jaipurkar, AGP for the Respondent/State
.....

CORAM : M.S. JAWALKAR & NANDESH S. DESHPANDE, JJ.
FEBRUARY 26, 2026

ORAL JUDGMENT:- (PER:- M.S. JAWALKAR, J.)

. **RULE. Rule made returnable forthwith. Heard**
finally by consent of learned Counsel for the respective parties.

(2) By this Petition, the Petitioner is seeking direction to the Respondent No. 2 – Sub-Divisional Officer, Akola to issue caste certificate to the Petitioner of belonging to caste ‘Koli Mahadeo’.

(3) Learned Counsel for the Petitioner submits that the Petitioner had sought for caste certificate belonging to caste ‘Koli Mahadeo’ which falls under the Scheduled Tribe category. The Petitioner had submitted the necessary documents with the Respondent No. 2 including the caste certificate of his father of belonging to Koli Mahadeo which was issued on 27/07/1992. The Sub-Divisional Officer refused to issue the certificate on the ground that the Petitioner failed to submit the documents prior to 1950. The Appeal preferred by the Petitioner before the Caste Scrutiny Committee also came to be dismissed on the same ground. It appears from the order of the Caste Scrutiny Committee that the Scrutiny Committee decided the claim of the Petitioner on merits.

(4) It is further submitted that the Caste Certificate Act, 2000 and the Rules of 2003 nowhere prescribe the production of

documents prior to 1950 for obtaining a caste certificate. In absence of such a statutory requirement, the Respondents could not have insisted upon it on their own accord. When the statute is clear, no additional condition can be read into it. The insistence on pre-1950 documents is arbitrary and without legal basis, as such documents are relevant only at the stage of verification and not at the stage of issuance of the caste certificate. Therefore, the impugned orders are perverse and deserve to be quashed and set aside.

(5) Learned Counsel for the Petitioner submitted that that despite the father of the Petitioner was holding the caste certificate of Koli Mahadeo, the Sub-Divisional Officer refused to issue caste certificate to the father of the Petitioner. The said rejection came to be challenged in Appeal which also came to be dismissed. Both the orders passed by the Sub-Divisional Officer and the Caste Scrutiny Committee came to be challenged before this Court in Writ Petition No. 7760/2025 (Madhukar Gangaram Jumale vs. Scheduled Tribe Caste Certificate Scrutiny Committee, Amravati & another). This Court, by the judgment dated 05/01/2026, allowed the said Writ Petition and directed

the Sub-Divisional Officer to issue caste certificate to the father of the Petitioner. Hence, on the basis of parity, both the impugned orders passed by the Respondents are liable to be quashed and set aside and a direction needs to be issued to the Sub-Divisional Officer to issue caste certificate.

(6) The Respondent No. 2, while exercising powers under Section 4 of the Act of 2000, was not required to delve into the question of validity of the Petitioner's caste claim. Such an exercise was clearly impermissible under the provisions of law, and therefore, the Respondent No. 2, by rejecting the Petitioner's application, acted beyond the scope of his jurisdiction. Similarly, the Respondent No. 1 – the Scrutiny Committee while deciding the Appeal preferred by the Petitioner against the impugned order passed by Respondent No. 2, also exceeded its jurisdiction. The Committee proceeded to decide the Appeal as if it were adjudicating upon the validity of the caste certificate, which was not its function at that stage. The Respondents ought to have considered the claim of the Petitioner in view of the issuance of caste certificate to his father. As such, in our considered opinion, the orders passed by

the Sub-Divisional Officer as well as Caste Scrutiny Committee do not sustain the scrutiny of law, and therefore, the same are required to be quashed and set aside.

(7) Hence, we proceed to pass following order:-

ORDER

i. The impugned order passed by Respondent No. 2 – Sub-Divisional Officer, Akola on 6th February, 2024 and the order dated 30th October, 2025 passed by the Respondent No. 1 – Scheduled Tribe Caste Certificate Scrutiny Committee, Amravati are hereby quashed and set aside.

ii. Respondent No. 2 is hereby directed to issue Caste Certificate to the Petitioner of belonging to “Koli Mahadeo Caste” falling under Scheduled Tribe category.

iii. After issuance of Certificate, the Respondent No. 1-Committee may decide its validity, if the same is produced for its validation.

iv. The Petitioner shall appear before the Respondent No. 2 – Sub-Divisional Officer, Akola on 18/03/2026 along with copy of this judgment.

v. The petition is **disposed of** in the above terms with no order as to costs.

(NANDESH S. DESHPANDE, J.)

(M.S. JAWALKAR, J.)