



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 8433/2025

Amended as per Court's
order dated 29.01.2026
and 09.02.2026.

1. Om Purushottam Lonkar, Aged
Minor years, Occ. Education,
Through his Natural
Guardian GrandFather,
Dashrath Narayan Lonkar,
Aged 74 years, Occ. Agriculturist,
R/o Tunaki, Tah. & Dist.
Sangrampur, Buldhana.

... PETITIONER

...VERSUS...

1. The Scheduled Tribe Caste
Certificate Scrutiny Committee,
Through Its Member / Secretary,
Bhatkuli Road, Amravati, Dist. Amravati.
2. The Sub-Divisional Officer,
Jalgaon Jamod, Tq. & Dist.
Buldhana,

...RESPONDENTS

Mr. Guarav Narayan Upadhyay, Advocate for petitioner
Mr. N. R. Patil, AGP for respondents/State

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

DATED : 07th JANUARY, 2026.

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

Heard. **Rule.** Rule is made returnable forthwith. Matter is taken up for final hearing at the stage of admission by consent of the parties and at the request of parties.

2. By this Writ Petition, the Petitioner is challenging the order dated 28.03.2025 passed by the Respondent No.2 Sub-Divisional Officer, Jalgaon, thereby rejected the caste claim of the Petitioner, and the order dated 28.10.2025 passed by the Respondent No.1, Scheduled Tribe Caste Certificate Scrutiny Committee, Amravati (for short the "Scrutiny Committee"), thereby invalidating the caste claim of the Petitioner to the "Koli Mahadeo", a Scheduled Tribe enlisted at Sr. No. 29 in the list of Scheduled Tribes in Constitutional (S.T.) Order 1950.

3. Learned counsel for the Petitioner submits that the Petitioner had submitted application along with numerous documents through his father to the Respondent No.2 Sub-Divisional Officer, Jalgaon for grant of Scheduled Tribe Certificate belonging to "Koli Mahadeo", which came to be rejected vide order dt. 28.03.2025.

Thereafter an appeal was preferred before the Respondent No. 1, Scrutiny Committee, who vide order dt. 28.10.2025, confirmed the finding of the Respondent No. 2, thereby dismissing the appeal of the petitioner.

4. It is further contented that the respondent no. 2, after examining the documents submitted by the Petitioner, concluded that the Petitioner did not satisfy in respect of the pre-constitutional documents as belonging to 'Koli Mahadeo'. It is also contended that the respondent authorities failed to consider the School Leaving Certificate issued in favour of the petitioner's father, dated 09.07.1996, which unequivocally records his caste as Koli Mahadeo(Scheduled Tribe).

5. It is further submitted that the petitioner had submitted all requisite documents before respondent no.2 for issuance of the caste certificate. It was incumbent upon respondent no.2 to issue the certificate, which would thereafter be subject to verification by the Scrutiny Committee. However, both respondents have failed to discharge their duties, thereby denying justice to the petitioner.

6. It is further contended that this Court has recently dealt with the identical issues in W.P. No. 416/2025 (Nagpur Bench), wherein by order dated 09.10.2025, both the orders passed by the Scrutiny Committee and the Sub-Divisional Officer were set aside, and directions were issued to the Sub-Divisional Officer to issue caste certificates.

7. The Petitioner contended that Respondent No. 2 rejected the Petitioner's claim by order dated 28.03.2025, which was confirmed by Respondent No. 1 through order dated 28.10.2025, thereby denying issuance of the caste certificate, which are the substance of challenge in this petition.

8. As against this, the Respondents contended that they rejected the petitioner's request for a caste certificate of "Koli Mahadeo" (Scheduled Tribe) because the petitioner failed to provide valid documents belonging prior to 1950 evidencing Scheduled Tribe status as required under the Maharashtra Scheduled Castes, Scheduled Tribes, Vimukta Castes, Other Backward Classes, and Special Backward Class Caste Certificate (Regulation of

Verification) Act, 2000/2003, and therefore, the order dated 28.03.2025 rejecting the certificate was lawful and proper.

9. Heard both the parties at length. Perused the documents placed on record.

10. This Court, in a catena of judgments, has consistently held on similar issues. In support of the aforesaid settled position, reliance is placed on Writ Petition No. Writ Petition No. 2011/2024 wherein similar issues were dealt by this Court and relevant portions are reproduced as under:

"8. Learned counsel for the petitioners has relied upon the judgment of this Court in Writ Petition No. 7081 of 2024 (Sushil S/o Rajendra Thakur and others Vs. The Sub Divisional Officer, Daryapur, Dist. Amravati and another) decided on 10th March, 2025. In the said judgment, the identical issue was arose and this Court has recorded its findings in paragraphs 6, 7 and 8 as under:

(6) It is settled position of law that the competent authority under Section 4 of the Maharashtra Scheduled Castes, Scheduled Tribes, Denotified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward

Category (Regulation of Issuance and Verification of Caste Certificate Act, 2000 (hereinafter referred to as 'Act of 2000') while issuing caste certificate is not entitled to make a detailed enquiry as to the validity of the claim of the petitioners of belonging to particular Caste/Tribe; for that is the job of the Committee constituted under Section 6 of the said Act.

(7) A perusal of the impugned orders dated 15/05/2024 (Annexures 4 to 8) passed by the Sub-Divisional Officer, who is the competent authority in terms of Section 4 of the Act of 2000, would indicate that he has gone into the question of validity of the claim of the petitioners, which is impermissible in law. Thus, it seems that the Sub-Divisional Officer exceeded its jurisdiction while refusing to grant caste certificates to the petitioners. Similar is the position in respect of the order dated 28/08/2024 passed by the respondent No.2 the Committee. The respondent No.2 Committee has not considered the documents produced on record by the petitioners in their proper perspective.

(8) Apart from this, the position in this matter is no longer res integra, but it is covered by the judgment of this Court in Namdeo s/o. Baburao Ingale and ors. vs. Scheduled Tribe Caste Certificate Scrutiny Committee, Amravati [2015(2)Mh.L.J.707], Dhanashree Ravindra Koli and others V/s The state of Mah. & ors. In W.P.No.8829/2021 decided on 12/08/21 and followed subsequently in Vishal Namdeo Gopewad vs. The Scheduled Tribe Caste Certificate Scrutiny

Committee, through its Member/Secretary, Yavatmal and another [WP No. 4335/2023 decided on 01/09/2023], in view of which, the impugned orders dated 15/05/2024 passed by respondent No.1 SubDivisional Officer, as well as the decision dated 28/08/2024 passed by the respondent No.2 Committee, are hereby quashed and set aside.

9. In view of above the said legal position, it is clear that the respondent no.2 while exercising powers under Section 4 of the Act, 2000 is not empowered to go into the question of validity of the claim of the petitioners, the same is not permissible under the provisions of law. Hence, we are of the opinion that respondent no.1 exceeded his jurisdiction while refusing to grant caste certificate to the petitioner."

This aspect is already considered in Writ Petition No. 416/2025 with connected matters.

11. In view of the above settled legal position, it is evident that 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, respondent No. 2, by rejecting the petitioner's application, acted beyond the scope of his jurisdiction.

12. Similarly, 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 Scrutiny 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. Respondent No. 1 was not justified in dismissing the appeal on the grounds that the petitioner failed to establish his claim with respect to documents pertaining to blood relatives and their revenue evidence. Such an approach was contrary to the provisions of the Act and inconsistent with the law laid down by this Court.

13. In view of the foregoing discussion, the impugned orders passed by both respondents are liable to be quashed and set aside. Accordingly, the following order is passed:

ORDER

- i) The Writ Petition is allowed.

ii) The impugned order dated 28.10.2025 passed by the Respondent No. 1 – Caste Scrutiny Committee, so also the order dated 28.03.2025 passed by the Respondent No. 2 - Sub Divisional Officer, Jalgaon are hereby quashed and set aside.

iii) The Respondent No. 2 - Sub Divisional Officer, Jalgaon, is hereby directed to issue caste certificate to the Petitioner under section 4 of the Maharashtra Scheduled Castes, Scheduled Tribes, Denotified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation Of Issuance and Verification Of) Caste Certificate Act, 2000, within a period of three weeks from the date of production of this order to his office.

iv) Respondent No. 1 - Caste Scrutiny Committee is directed to consider the caste claim of the Petitioner if the same is referred as per prescribed procedure, afresh, on the basis of caste certificate issued by the Respondent No. 2 without being influenced by the findings recorded in the impugned order dated 28.10.2025 passed by the Respondent No. 1 - Caste Scrutiny Committee.

v) Rule is made absolute in the above terms. No order as to costs.

(NANDESH S. DESHPANDE, J.)

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

Shubham