



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

WRIT PETITION NO. 823/2026

Khushi Sanjay Juwar,

Aged about 20 years, Occ.
Student, R/o. Ashti, Tah.
Bhatkuli & District Amravati

.....PETITIONER(S)

// VERSUS //

(1) State of Maharashtra,
Through its Secretary, General
Administrative Department,
Mumbai-32

(2) The Sub-Divisional Officer,
Tiwasa, Bhatkuli, Tq. Bhatkuli,
District Amravati

.....RESPONDENT(S)

.....
Shri G.N. Upadhyay, Advocate for the Petitioner(s)
Shri N.R. Patil, AGP for the Respondent/State
.....

CORAM : M.S. JAWALKAR & NANDESH S. DESHPANDE, JJ.
FEBRUARY 02, 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) The Petitioner herein sought for tribe certificate in Form C belonging to 'Koli Mahadeo' with the Respondent No. 2 – Sub-Divisional Officer, Tiwasa - Bhatkuli. He relied on various judgments of this Court in **Writ Petition No. 7787/2025 (Darshana Vinayak Jumale vs. The Scheduled Tribe Caste Certificate Scrutiny Committee, Amravati & another)**, **Writ Petition No. 7863/2025 (Jay Vilas Ghate vs. State of Maharashtra & another)** and **Writ Petition No. 416/2023 (Bhagyesh S/o Yadav Thakare vs. The S.T. Caste Certificate Scrutiny Committee, Amravati & another)**.

(3) Admittedly, there is tribe certificate issued in favour of the father of the Petitioner in the year 1989 as per the Form then existing. It appears that while submitting the Form, the Petitioner could not submit the Form as the Respondent No. 2 – Sub-Divisional Officer was insisting on the documents prior to 1950. There is no such mandatory requirement under the Maharashtra Scheduled Castes, Scheduled Tribes, De-Notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 for production of pre-

constitutional documents, more particularly when the father of the Petitioner has already been issued the tribe certificate of 'Koli Mahadeo'. The certificate issued in favour of the father of the Petitioner is sufficient to form a prima-facie satisfaction about the documents that the Petitioner belongs to 'Koli Mahadeo'. It is a settled position of law that the Respondent No. 2 – Sub-Divisional Officer, while exercising the powers under Section 4 of the Caste Certificate Act, 2000 was not required to delve into the question of validity of the Petitioner's tribe claim. Such an exercise is clearly impermissible under the provisions of law, and therefore, the Respondent No. 2, by rejecting the Petitioner's Application, has acted beyond the scope of his jurisdiction.

(4) Thus, we are inclined to allow the Writ Petition and proceed to pass the following order:-

ORDER

- (a) The Writ Petition is **allowed**.
- (b) The Respondent No. 2 – Sub-Divisional Officer, Tiwasa - Bhatkuli, District Amravati is

hereby directed to accept the Application of the Petitioner without insisting to produce the documents prior to 1950, in view of the fact that the father of the Petitioner has already been holding the tribe certificate of 'Koli Mahadeo'.

(c) The Petitioner shall appear before the Respondent No. 2 – Sub-Divisional Officer on 06/02/2026.

(d) The Respondent No. 2 – Sub-Divisional Officer is further directed to issue tribe certificate to the Petitioner of belonging to tribe 'Koli Mahadeo' within a period of three weeks from the date of appearance of the Petitioner.

Rule is made absolute in the above terms. Pending Application(s), if any, stand(s) **disposed of.**

(NANDESH S. DESHPANDE, J.)

(M.S. JAWALKAR, J.)