



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 3280 OF 2026

1. Akash S/o Ashok Dongare
A/a 28 yr., Occ: Study (M.Tech. Final)
2. Aditya S/o Ashok Dongare
A/a 26 yrs, Occ: Study (M.B.A. Final)

Both R/o Waigaon, Tq. Bhatkuli,
Dist. Amravati
At present R/o Shivraj Colony,
Near Anusa Mandir, Arjun
Nagar, Amravati

...PETITIONERS

VERSUS

1. The State of Maharashtra,
Through its Secretary, General
Administrative Department, Mantralaya,
Mumbai-32
2. The Sub-Divisional Officer
Tiwasa-Bhatkuli, Tahsil Office Premises,
Camp Amravati, Dist. Amravati

...RESPONDENTS

Shri VR. Borkar, Advocate a/w Shri PL. Aamle, Advocate for petitioners
Shri H.D. Futane, AGP for respondent/State

CORAM : **SMT. M.S. JAWALKAR AND**
NANDESH S. DESHPANDE, JJ.
DATE : **21.04.2026**

ORAL JUDGMENT (PER : NANDESH S. DESHPANDE, JJ.)

Heard.

2. Issue notice to the respondents.
3. The learned Assistant Government Pleader waives notice for both the respondents.
4. In view of the order we are proposing to pass, we do not think it fit to seek reply of the respondents.
5. **Rule.** Rule is made returnable forthwith. Heard finally with the consent of the parties.
6. The petition challenges the order of the respondent No.2, i.e., the Sub Divisional Officer, Tiwasa-Bhatkuli, District Amravati, wherein the respondent No.2 has asked for documents prior to the year 1950 for the issuance of a caste certificate.

7. As can be seen from the facts of the matter, that on 03.12.2023, the father of the petitioner applied for caste certificate of 'Koli Mahadeo', which was granted to him through online process. In addition to this, there was a service record of the father specifically denoting his caste as 'Koli Mahadeo'. On the basis of these documents, as also other supporting documents, the petitioner applied to the Sub-Divisional Officer, i.e., respondent No.2, on 03.12.2023, for the issuance of caste certificate. However, without considering these documents, the respondent No.2 has disposed of that application vide communication dated 29.01.2026, stating that since there is no documentary evidence prior to the year 1950, the application is disposed. It is the said communication which is impugned in the present petition.

8. We have heard Shri Borkar, learned Counsel for the petitioner. He relies on a judgment of this Court passed in Writ Petition No. 823/2026 to buttress his submission that in identical set of facts, this Court has allowed the petition and directed the said respondent No.2 to accept the application of the petitioner without insisting to produce the documents prior to 1950.

9. Learned Assistant Government Pleader, however, while opposing the contentions canvassed by the learned Counsel for the petitioner states that in the said Writ Petition No. 823/2026, the respondent No.2, i.e., the Sub-Divisional Officer, had not decided the said application and kept it pending. However, in the present case, the application has been rejected on the insistence of 1950 documents. He also submits that there is an appeal provided under Section 5 of 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. It is therefore his submission that there being an alternate remedy, this Court would be loath to interfere in writ jurisdiction.

10. We have considered the contentions canvassed by the learned Counsel for respective parties, and also gone through the record. The communication/reason for rejection is only on insistence on documents prior to 1950. We find no such requirement in 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. However, as rightly contended by the learned Assistant Government Pleader, there is an alternate remedy.

11. In view of the said facts, we dispose of the petition, by directing the respondent No.2 to reconsider the application without insisting for documents prior to 1950 and only on the documents as prescribed 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.

12. The Sub-Divisional Officer is directed to reconsider the application already filed by the petitioner and, in light of the observations made hereinabove, and decide the same till 31.05.2026.

13. With these directions, the petition is disposed of. Rule is made absolute in the above terms.

(NANDESH S. DESHPANDE, J.)

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

Jayashree..