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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1144 OF 2018

Yogesh Vishnu Pawar ... Petitioner

Versus

State of Maharashtra and ors. Respondents

Mr. Jagadish C. Kawale h/f Mr. R.K. Mendadkar, for the Petitioner.
Ms.Kavita Solunke, Addl.GP a/w Ms. R.M. Shinde, AGP for the
Respondent-State.

**CORAM : M.S.KARNIK &
S.M.MODAK, JJ.**

DATE : 21st JANUARY, 2026

ORAL JUDGMENT (PER M.S.KARNIK, J.) :

1. Heard learned counsel for the Petitioner and learned Additional Government Pleader appearing for the Respondent-State.

2. The tribe claim of the Petitioner as belonging to 'Thakar, Scheduled Tribe' has been invalidated by the Respondent No.2 – Scheduled Tribe Certificate Scrutiny Committee (for short 'the Scrutiny Committee'). Additional affidavit dated 13/01/2026 filed by the Petitioner is placed for our consideration wherein it is stated that during the pendency of the Petition, Respondent No.2- Scrutiny Committee granted the caste validity certificate dated

29/08/2025 to his daughter- Gayatri Yogesh Pawar. Thus, we have enquired with learned Additional Government Pleader as to whether the certificate of validity issued to Gayatri Yogesh Pawar is after following a proper procedure and holding an enquiry, whether the relationship of Petitioner and Gayatri Yogesh Pawar is correct and as to whether the certificate of validity dated 29/08/2025 is genuine. Learned Additional Government Pleader on instructions submits that the said certificate of validity has been issued after complying with the aforesaid requisites.

3. In the context of the present facts, where the Petitioner is a close blood relative of Gayatri Yogesh Pawar who has been issued certificate of validity, the Petitioner being father of Gayatri, we may refer to the decision of the Hon'ble Supreme Court in the case of **Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra and ors.**¹ wherein three essential principals have been set out to be considered in such situation. Moreover, this Court in the case of **Apoorva d/o Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No.1 and others**² in paragraph 4 observed thus :

“We have considered the matter and we are of the view that the petitioner's caste claim that she belongs to Kanjar Bhat- Nomadic

¹ (2023) 16 SCC 415

² 2010 (6) Mh.L.J. 401

Tribe ought to have been accepted by the Committee merely on the basis that identical caste claim of her sister that she belongs to Kanjar Bhat has been allowed by the Committee, even apart from the Government Resolution. We are of the opinion that the guidelines provided by the said Govt. Resolution are sound and based on sound principles. It would indeed be chaotic otherwise. If the relationship by blood is established or not doubted, and one such relative has been confirmed as belonging to a particular caste, there is no reason why public time or money should be spent in the committee testing the same evidence and making the same conclusion unless of course the Committee finds on the evidence that the validity of the certificate of such relation has been obtained by fraud. “

4. In the light of the fact that the Petitioner is a close blood relative of Gayatri Yogesh Pawar who has been issued the certificate of validity as belonging to Thakar, Scheduled Tribe, this Petition deserves to be allowed and the same is accordingly allowed.
5. The impugned order is quashed and set aside.
6. The Scrutiny Committee is directed to issue a certificate of caste validity to the Petitioner as belonging to ‘Thakar, Scheduled Tribe’ within a period of 6 weeks from today.
7. The Petition is disposed of.

(S.M.MODAK, J.)

(M.S.KARNIK, J.)