

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7696 OF 2026

Kiran Vasant Rao Rajwade ...Petitioner

Vs.

State of Maharashtra & Ors. ...Respondents

Mr. Mahesh Deshmukh a/w Mr. Sushant Yeramwar and Anshuman Deshmukh
for Petitioner.

Mr. Nitin Gangal, Spl. Counsel a/w Mr. P. P. Kakade, Addl. G. P. and Smt. P. B.
Chavan, AGP for State.

Mr. Kishor Patil a/w Dinesh Shinde, Akshada Nagrale, Anish Kikle and Omhari
Favade i/b Biradar Siddeshwar for Respondent No.4.

Mr. Rohit Sakhadeo for Respondent No.3.

CORAM: G. S. KULKARNI &
M. M. SATHAYE, JJ.
DATE: 29 JULY 2026.

P.C.

1. We have heard learned counsel for the parties.
2. This petition under Article 226 of the Constitution of India challenges an order dated 15 June 2026 passed by the Caste Scrutiny Committee, Nashik, whereby, the petitioners caste certificate belonging to the Thakur – Scheduled Tribe, has been invalidated. The primary contention of the petitioner relying on the settled position of law in paragraph no. 11 (page 278) of the impugned order, the committee itself has referred to about 35 members of the petitioners family being granted the Caste Validity Certificates from the year 2001 upto the year 2026.
3. It is also clear that the proceedings had reached this Court in respect of 13 members of the petitioner's family and this Court after examining the rival

contentions, that this Court had passed orders, thereby directing the Caste Scrutiny Committee to issue a caste validity certificate in favour of such members of the petitioner's family. The details of which reads thus:

Sr. No.	The persons who have been granted validity certificate	Validity Certificate No.	Validity certificate and date	Committee	Writ Petition numbers	Relationships
1	Yuvraj Bhausaheb Rajwade	EDU-062018-119364	07.06.2018	Nashik	WP No.3453-2013	2 nd Cousin
2	Krushna Keda Isai	224336	12.11.2024	Nashik	WP No.31995-2024	3 rd Degree Uncle
3	Vishal Krushna thakur	224338	12.11.2024	Nashik	WP No.31995-2024	4 th Degree Uncle
4	Sanjay Krushna Thakur	224337	12.11.2024	Nashik	WP No.WP No.31995-2024	4 th Degree Uncle
5	Kalpna Nimbaji Desai	255611	18.12.2024	Nashik	WP No.31828-2024	3 rd Degree Aunt
6	Saish Rupesh Rajwade	256808	10.01.2025	Nashik	WP No.31827-2024	3 rd Degree Nephew
7	Rajwardhan Rajesh Rajwade	256807	10.01.2025	Nashik	WP No.32828-2024	3 rd Degree Nephew
8	Nilima Sunil Rajwade	257202	10.01.2025	Nashik	WP No.17003-2024	3 rd Degree Cousin
9	Priyanka Anil Rajwade	289228	28.03.2025	Nashik	WP No.2135-2025	3 rd Degree Cousin
10	Manisha Jagannath Rajwade	312144	02.03.2025	Nashik	WP No.10000-2013	1 st Cousin
11	Santosh Baban Thakur	312146	02.03.2026	Nashik	WP No.12052-2023	5 th Degree Cousin
12	Tejas Santosh Thakur	312059	26.02.2026	Nashik	WP No.12052-2023	5 th Degree Nephew
13	Jayesh Santosh Thakur	312060	02.03.2026	Nashik	WP No.12052-2023	5 th Degree Nephew

4. Learned counsel for the petitioner has submitted that the approach of the Caste Scrutiny Committee in the present case, is quite peculiar and it is not only arbitrary but also high handed, considering the manner in which the orders passed by this Court have been discarded. Illustratively, our attention is drawn to an order passed in the case of **Manisha Jagannath Rajwade** in Writ Petition No.10000 of 2013, whereby the Caste Scrutiny Committee was directed to issue certificate of caste validity to the petitioners therein as belonging to the Thakur - Scheduled Tribe within a period of six weeks from the date of communication of the said order. However, such order has been discarded on the ground that the High Court was not appraised of certain materials wherein, similar position was taken in respect of the other members. Also in case of **Yuvraj Bhausaheb Rajwade** referred at para no. 8 (page 287) of the paper-book, this Court had passed orders dated 4 October 2017 in Writ Petition No. 3453 of 2013 directing the Caste Scrutiny Committee to issue a caste validity certificate in favour of the petitioner. The said orders passed by this Court again have not been accepted on the ground that the materials were not pointed out before the High Court. Thus, in such manner the orders passed by the High Court had also been completely discarded.

5. We do not appreciate such approach on the part of the Caste Scrutiny Committee, and more particularly, considering the settled principles of law that once the family members or blood relatives are granted the Caste Validity Certificates, normally, it would not be the situation that the claim of other family members would be required to be rejected (See: **Apoorva Vinay Nichale Vs.**

Divisional Caste Certificate Scrutiny Committee No.1 and Ors¹).

6. What is intriguing is that the Caste validity certificate granted to the petitioners' family are not very recent, the oldest of the Caste Certificate granted in respect of Shaila Vishwanath Rajwade who is the cousin / niece of the petitioner is dated 22 June 2004. The said certificate at all material times continued to operate. Similarly in the case of Tushar Jagannath Rajwade, the validity certificate was granted on 20 June 2001. The entire chart of such validities being granted by the Caste Scrutiny Committee has been in fact set out in para 11 of the impugned order. What is peculiar is that in all the cases where the validity was granted to the caste certificates, show cause notices were issued for annulling of the caste validity certificates and that too in the absence of a review jurisdiction being available at the relevant time. This aspect is referred by us, as it is certainly relevant to infer extraneous reasons in the manner in which the Caste Scrutiny Committee proceeded to pass the impugned orders, even by disregarding the orders passed by this Court.

7. In the aforesaid circumstances, we are of the clear view, that this petition would be required to be heard for final hearing. Hence we pass the following order:

ORDER

- (i) Rule. Respondents waive service.
- (ii) Let reply affidavit be filed within a period of four weeks from today.

1 2010(6) Mh.L.J. 401

After the pleadings are complete, liberty to the parties to mention for final hearing.

(iii) As the petitioner has made out the strong prima facie case, the impugned orders passed by the Caste Scrutiny Committee shall remain stayed pending the final hearing and disposal of this petition.

(iv) As the present proceedings are subjudice, any time limit as specified by the State Government to submit their caste validity certificate, would be required to be extended. It is accordingly extended till the final orders are passed on this petition.

8. Before parting considering the manner in which the Caste Scrutiny Committee has discarded several orders passed by this Court, although noting the same, in our opinion, shows gross impropriety on the part of the members of the Caste Scrutiny Committee. In such circumstances, we have a grave doubt as to whether the three members of the Caste Scrutiny Committee are at all competent to discharge such important duties of the Caste Scrutiny Committee. We are thoroughly disturbed by the manner in which the orders of the High Court have been dealt by the committee, and in fact it has set at naught the caste validity certificates granted to other members of the petitioner's family under the orders of the Court. The rule of law itself has been discarded by these statutory functionaries. In fact such conduct may also amount to contempt of the several orders passed by this Court.

9. In these circumstances, we direct that it is imminently in the public interest

that the three members of the Committee, Shalini Raut, Pradeep Khot and Kiran Mali are restrained from performing their duties as Members of the Caste Scrutiny Committee. The State Government shall also examine such concern as recorded by us and take an appropriate view of the matter. An affidavit to this effect be placed on record within three weeks from today. For such compliance the petition be listed for direction after three weeks (**19 August 2026**).

(M. M. SATHAYE, J.)

(G. S. KULKARNI, J.)