

2. Learned Counsel appearing for the Petitioners has referred and relied upon the judgment of this Court in **Writ Petition No.11477 of 2015 (Master Mukul Jagannath Sapkale Vs. The State of Maharashtra)**, whereby in similar circumstances, referring to the same provisions of law, this Court while disposing of the writ petitions, after setting aside those similar orders, observed as under :

“9. Nothing would be lost if such claims, as are made by the Applicants and Petitioners before us, are scrutinized on merits, so that injustice is caused to neither. The anxiety of the Committee ought to be that genuine and *bona fide* claimants obtain the benefit of reservation and those are not entitled or ineligible shall not obtain them by back-door or oblique methods. It is this prime concern which should guide the Committee and not some technical compliances or procedural matters.

11. When we emphasize all this, it is needless to state that the Committee having not applied its mind to all the relevant factors and refusing to scrutinize the claim on merits, requires us to remand the cases by setting aside the impugned orders.

12. The Writ Petitions are allowed accordingly. Even of the orders impugned in these Writ Petitions are set aside. The claims will not be scrutinized in terms of the law laid down by this Court and as per the provisions of the Maharashtra Act No.XXIII of 2001 and the Maharashtra Scheduled Tribes (Regulation of Issuance and Verification of) Certificate Rules, 2003.”

3. Therefore, we are also of the view that after considering the pleadings and documents placed on record, a case is made out by the Petitioners to pass an order on similar lines as passed by this Court as referred above.

4. In view of this, the present Writ Petitions are allowed in terms of prayer clauses-(B) and (C), respectively.

5. No order as to costs.

(RAVINDRA V. GHUGE, J.)

(ANOOP V. MOHTA, J.)