

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

933 WRIT PETITION NO.4325 OF 2021

ROHINI SHIVSAMB GUDBENWAD

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Chandrakant R. Thorat, Advocate for the
Petitioner.

Mrs. P. V. Diggikar, AGP for Respondents-State.

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**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATED : 10th MARCH, 2021.

PER COURT:-

1. The learned counsel submits that the tribe claim of the petitioner is invalidated under common judgment by the Scrutiny Committee alongwith one Shivam Shivsamb and Shivsamb Moglaji. This Court under its order dated 18.01.2021 in Writ Petition No.770/2021 partly allowed the writ petition filed by Shivsamb bearing Writ Petition No.770/2021 and remitted matter to the Committee.

2. We have heard learned A.G.P.

3. The learned A.G.P. confirms that the tribe claim of the petitioner is invalidated by a common judgment of the Committee alongwith that of Shivam Shivsamb and Shivsamb Moglaji.

4. In light of that and for the reasons stated in the order dated 18.01.2021 in Writ Petition No.770/2021 and the order dated 15.01.2021 in Writ Petition NO.352/2021, we set aside the impugned order to the extent of the petitioner and remit the matter to the Committee for fresh decision.

5. The petitioner shall appear before the Committee on 31.03.2021. The petitioner shall place on record such facts to prove his relationship with the validity holders. Naturally, the Committee would consider the said facts in accordance with law and take decision on its own merits, preferably within a period of three months from the date of appearance of the petitioner.

6. Writ Petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE