

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

WRIT PETITION NO. 8167 OF 2020

Mahammad Umar Faraz Mohammad
Farid Husain through natural guardian
father and another

.. Petitioners

Versus

The State of Maharashtra and others

.. Respondents

Mr. Sagar S. Phatale, Advocate for the Petitioners.
Mr. A. R. Kale, AGP for Respondent Nos. 1 to 3.
Mr. M. D. Narwadkar, Advocate for Respondent No. 4.

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

DATED : 22nd February, 2021.

PER COURT:-

. The tribe claims of the petitioners as belonging to ‘Tadvi’ (Schedule Tribe) are invalidated.

2. The learned counsel for the petitioners submits that no proper opportunity of hearing was given to the petitioners. The date notice was served upon the petitioners was the date of hearing. The learned counsel further submits that the petitioners subsequently could lay their hands on some more documents such as the transfer certificate of the real uncle of the petitioners wherein tribe is recorded as ‘Tadvi’. The said document is of the year 1961, so also the other documents

such as death certificate of their grandfather.

3. The learned A.G.P. for respondent Nos. 1 to 3 submits that the petitioners could not produce any document worth the name to substantiate their case of belonging to 'Tadvi' (Schedule Tribe). The learned A.G.P. further submits that ample opportunity was given to the petitioners.

4. We have considered the submissions canvassed by the learned counsel for respective parties.

5. The matter pertains to the social status of the petitioners. The petitioners have placed the copies of some documents on record. Those documents were not placed before the committee.

6. Considering the above, we are inclined to give one more opportunity to the petitioners.

7. The impugned order is quashed and set aside. The parties are relegated before the scrutiny committee. The petitioners shall appear before the scrutiny committee on 15.03.2021. The petitioners may place on record additional documents. The committee may conduct the vigilance of those documents and thereafter decide the proceedings afresh on its own merits, after hearing the parties, expeditiously and

preferably within a period of six (06) months from the date of appearance of the petitioners.

8. Writ petition accordingly is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.