

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

185 WRIT PETITION NO.14159 OF 2021

SHUBHAM DATTATRAY TELANG  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS  
AND  
12 WRIT PETITION NO.14214 OF 2021

DATTATRAY RAJARAM TELANG  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

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Mr.S.M. Vibhute, advocate for the petitioners.  
Mr.S.P.Tiwari & Mr. S.K. Tambe, AGPs for the  
respondent/State.  
Mr.S.G. Karlekar, advocate for respondent no.3 in  
WP no.14159/2021.

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CORAM : S.V. GANGAPURWALA  
AND

S.G. DIGE, JJ.

DATE : 20<sup>th</sup> DECEMBER, 2021

PER COURT :-

1. At the request of the petitioner leave  
to amend.

2. The caste claims of the petitioners as  
Gond, Scheduled Tribe are invalidated.

3. It is submitted by the learned A.G.P.  
that the petitioners suppressed the invalidation  
of their paternal relative namely Shivraj  
Madhukarrao Telang. His claim was invalidated.  
He filed Writ Petition before this Court  
and the said Writ Petition is dismissed.

The invalidation is confirmed.

4. In genealogy shown by the petitioners, the petitioners have shown the genealogy from the branch of Baliram whereas in Thiksha file other branch of Lingoji appears.

5. The learned advocate for the petitioners submits that the petitioners could not get opportunity to controvert the said genealogy as it is only during the judgment the said observations were made by the Committee. The learned Advocate submits that the opportunity may be given to the petitioners to deal with the same.

6. In the light of above, we pass the following order :-

**ORDER**

(i) The impugned judgment and order is quashed and set aside.

(ii) The petitioners are relegated before the Committee. The petitioners shall appear before the Committee on 27<sup>th</sup> December, 2021.

(iii) The petitioners may file their say to the genealogy and the observations made with regard to the invalidation in case of Shivraj Madhukarro Telang.

(iv) The Committee shall thereafter reconsider the matter, hear the petitioners and take decision on its own merits.

(v) The Writ Petitions are disposed of. No costs.

(S.G.DIGE, J.)

(S.V. GANGAPURWALA, J.)

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