



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

925 WRIT PETITION NO. 6599 OF 2024

GOURAV PANDURANG GADAMWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS PRINCIPAL SECRETARY AND OTHERS

...
Advocate for petitioner : Mr. C.R. Thorat
AGP for the respondent – State : Mr. P.P. Dawalkar
...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 2 JULY 2024

PC :

Heard both the sides.

2. The petitioner is aggrieved by the order passed by the respondent – scrutiny committee, thereby dismissing his proposal for validation of the tribe certificate in default.

3. Instead of indulging in the scrutiny, as to the circumstances prevailing before the scrutiny committee, as has been rightly submitted by the learned advocate for the petitioner and the learned AGP, the propriety demands that the matter is remanded back to the scrutiny committee with a direction to the petitioner to co-operate the committee in early disposal of the proposal.

4. Since the dispute cannot be looked upon as an adversarial litigation, the course being suggested, is innocuous.

5. The petition is partly allowed.

6. Impugned order is quashed and set aside.

7. The petitioner shall appear before the committee on 12 July 2024 and the committee shall thereafter decide the petitioner's proposal in accordance with law. The committee shall consider petitioner's request to adopt reply to the vigilance report furnished by his brother – Prashant Pandurang Gadamwad, particularly in the light of the fact that this Court had directed certificate of validity to be issued to Prashant.

8. The proposal shall be decided as expeditiously as possible and in any case within six weeks.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

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