



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 1591 OF 2021

Rameshwar Mahadu Tayde and Another

..PETITIONERS

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....

Mr. S.M. Vibhute, Advocate for petitioners

Ms. D.S. Jape, A.G.P. for respondent nos.1 and 2

Mr. K.D. Mande, Advocate for respondent no.4

....

CORAM : R.G. AVACHAT AND

ABASAHEB D. SHINDE, JJ.

DATE : 11<sup>th</sup> SEPTEMBER, 2025

PER COURT :

. Heard.

2. Respondent No.2 - Caste Scrutiny Committee in its order dated 13<sup>th</sup> January, 2021 has observed that one Ganesh, cousin uncle of the petitioner, was not granted validity certificate. The said fact was suppressed from the scrutiny committee. It was, however informed across the bar that these observations have been made for the first time in the order itself. According to the petitioner, he is no way concerned with said Ganesh. We cannot go in this factual matrix. The caste scrutiny committee ought to have given the petitioner an opportunity to offer explanation of any adverse

circumstance, which it proposed to rely on to negative the petitioner's claim. Since the same has not been done in this case, the matter needs to be relegated back to the scrutiny committee.

3. In view of above, we pass the following order :-

**ORDER**

- (I) Writ petition is partly allowed.
- (II) Impugned order dated 13<sup>th</sup> January, 2021 passed by Respondent No. 2 – Caste Scrutiny Committee, thereby invalidating the tribe claim of the petitioner of belonging to Koli Malhar Scheduled Tribe, is hereby set aside.
- (III) The matter is remanded back to Respondent No.2 – Caste Scrutiny Committee, who, after giving proper opportunity of hearing to the petitioner, shall decide the petitioner's claim.

( ABASAHEB D. SHINDE, J. )

( R.G. AVACHAT, J. )

SSD