



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

910 WRIT PETITION NO. 2567 OF 2025

**SAKSHI BALAJI ALEWAD
THROUGH GUARDIAN BALAJI MAHAJAN ALEWAD
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND ANOTHER**

.....
Advocate for the Petitioner : Mr. Om Totawad h/f. Thorat Chandrakant R.
AGP for Respondents/State : Ms. P.J. Bharad
.....

**CORAM : MANGESH S. PATIL &
Y.G. KHOBRADE, JJ.
DATE : 25.03.2025**

P.C. :-

1. Pursuant to the directions on the last date, the Senior Research Officer of the respondent/scrutiny committee has sworn an affidavit which is tendered across the bar by the learned AGP.

2. We have heard both the sides. To repeat, petitioner no.1's real brother Manoj was awaiting decision of the scrutiny committee on his proposal for verification of the tribe certificate. The petitioner's similar claim was also awaiting adjudication. For the reasons best known to the committee it rejected her request for deciding her claim simultaneously with brother

Manoj's claim. The committee had proceeded to decide his claim alone keeping back the petitioner's claim for which she has preferred this petition.

3. In the affidavit filed by Gajendra Shankarrao Kendre, Senior Research Officer of the respondent/scrutiny committee he admits the fact that both the proposals were pending before the committee, a request was made by the petitioner for deciding her claim with that of Manoj's claim but the request was rejected and the committee had proceeded to decide Manoj's claim. The only reason assigned in paragraph 3 for rejection of the petitioner's request is that the committee had come to the conclusion that a re-verification was needed to be done. The statement is vague and does not indicate as to what was to be re-verified. The copy of roznama annexed with the affidavit does not refer to any re-verification. Rather it mentions that the request was rejected since the committee was of the view that a separate vigilance inquiry in petitioner's matter was needed, again, without assigning any reason as to why vigilance conducted in the matter of Manoj could not have been pressed into service when it was a matter of claims of siblings.

4. Interestingly, this roznama in the last line mentions that the arguments were heard and the claim was closed for passing final order. This roznama does not mention day. It only mentions month and year ‘

/8/2024'. It is being informed by the learned AGP, petitioner's proposal has been finally decided on 12.03.2025. If really the committee had decided to undertake a fresh vigilance inquiry, one cannot comprehend as to how in the last sentence the committee could have mentioned about the arguments having been heard and the proposal having been closed for passing final order. In the affidavit it has been mentioned that petitioner's application was rejected since the committee was of the view that the re-verification was needed but that reason does not find place in the roznama dated /8/2024'.

5. All these circumstances makes it abundantly clear that it is a matter of hushing up the things and making an attempt to push everything under the carpet.

6. We are not satisfied with the affidavit in reply. It is an attempt to mislead the Court. As we had indicated earlier, we had solicited response from the members of the committee before directing disciplinary inquiry to be initiated against them.

7. Having reached a conclusion that not even a plausible explanation is coming forth and finding that ignoring the seriousness in the matter, things have been perfunctorily overlooked, it is imperative that we direct a disciplinary inquiry to be initiated against all the three members of

the committee. A copy of this order be sent to the Chief Secretary as also the Principal Secretary, Tribal Development Department and General Administrative Department who shall take immediate steps and initiate a disciplinary inquiry against all the three members of the committee and report compliance.

8. Since the petitioner's claim has already been decided the petition is disposed of. However, compliance report shall be placed before the Court as is directed.

[Y.G. KHOBRADE, J.]

[MANGESH S. PATIL, J.]