



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

914 WRIT PETITION NO. 5884 OF 2024

1. Vinit s/o Hanmantrao Dayalwar,
2. Ankit Hanmanthrao Dayalwar

VERSUS

The State Of Maharashtra Through Its Secretary And Others

...

Advocate for the Petitioner : Mr. Sagar Killarikar h/f Mr. Phatale Sagar S

AGP for Respondents-State: Mr. A.A.A.Khan

Advocate for Respondents No.4 and 5 : Ms. Samiksha S. Auti h/f Mr. S. B
Kakde

Advocate for Respondent No.3 : Mr. B. A. Shinde

...

AND

WRIT PETITION NO.3490 OF 2024

Vinit Hanmantrao Dayalwar

VERSUS

The State Of Maharashtra Through Its Secretary And Others

...

Advocate for the Petitioner : Mr. Sagar Killarikar h/f Mr. Phatale Sagar S

AGP for Respondents-State: Mr. A.A.A.Khan

Advocate for Respondent No.2 : Mr. B. A. Shinde

Advocate for Respondent No.3 : Ms. Samiksha S. Auti h/f Mr. S. B. Kakde

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**CORAM : R. G. AVACHAT &
ABASAHEB D. SHINDE, JJ.**

Dated : OCTOBER 08, 2025

PER COURT : -

1. Heard.

2. The petitioners' tribe claims have not been validated and,
therefore, the petitioners are before us.

3. The learned Counsel for the petitioners urged for remand of the
matter on the ground that the petitioners were served with the

Vigilance Cell Report. In response thereto, the petitioners moved an application seeking an opportunity to cross-examine the witnesses whose statements were recorded by the Vigilance Cell Officer. Without affording such opportunity to the petitioners, the Scrutiny Committee decided the proceedings against them solely on the ground that their writ petition was pending before this Court, wherein directions were sought for early decision of their claims.

4. If this is so, then only option for us is to remand the matter back to the Scrutiny Committee to give the petitioners full-fledged opportunity of hearing in terms of the provisions of the Maharashtra Act No. XXIII of 2001 and the Rules of 2003. The order impugned herein is hereby set aside with remanding the matter back to the Scrutiny Committee. The Scrutiny Committee shall decide the claims of the petitioners within a time frame of three months.

5. In view of the above, the Writ Petition No. 3490 of 2024 stand disposed of as to have become infructuous.

(ABASAHEB D. SHINDE, J.)

(R. G. AVACHAT, J.)

vj gawade/-.