



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7671 OF 2025

YOGESH HANMANT PAKALWAD
VERSUS
THE STATE OF MAHARASHTRA
THROUGH SECRETARY AND OTHERS

...

- Mr. Sunil Mahadevappa Vibhute, Advocate for the Petitioner
- Mr. M. M. Nerlikar, Addl.GP for Respondents/State

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CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.

DATE : 01.07.2025

PER COURT :

1. Heard learned counsel for the petitioner.
2. This is the fourth petition filed by the petitioner before this Court for the selfsame relief of seeking direction to the respondent – the Scrutiny Committee to decide his proposal for verification of his tribe claim of belonging to ‘*Mannervarlu*’ Scheduled Tribe. The first order in these series of petitions was passed as far back as on 06.01.2020, when this Court directed the Scrutiny Committee to preferably decide the tribe claim within six (06) months. Thereafter, further order was passed on 04.12.2024 in the second writ petition, directing the committee to decide the proposal within sixteen (16)

weeks. Thereafter, an order had to be passed in the third writ petition on 07.04.2025 to decide the tribe claim of the petitioner within four (04) weeks from the date of the order.

3. Admittedly, till date, the petitioner's proposal of the tribe claim has not been decided, which has triggered filing of this fourth writ petition on behalf of the petitioner. This Court is informed that the petitioner has also filed a contempt petition in this factual backdrop.

4. Considering the number of such matters regarding caste/tribe claim arising within the jurisdiction of this Bench of the Court, on 23.06.2025, this Court has already issued directions indicating that the number of caste scrutiny committees be increased and at least one caste scrutiny committee per district be constituted, so that all such pending cases can be disposed of expeditiously.

5. Be that as it may, we are of the opinion that while the present petition can be allowed and further extension of time can be granted to the scrutiny committee to decide the tribe claim of the petitioner, ancillary directions have become necessary.

6. The writ petition is disposed of with the following directions:-

A) The respondent - scrutiny committee shall positively decide the tribe claim of the petitioner finally within four (04) weeks from today. No further extension shall be granted.

- B) The petitioner shall file an undertaking before this Court within two (02) weeks from today on affidavit stating that during the pendency of the proceedings before the scrutiny committee the petitioner shall not claim any service benefits such as promotion/increment/pay fixation, etc.
- C) The scrutiny committees are directed to maintain a specific diary in respect of matters wherein this Court has issued specific directions for deciding the caste/tribe claims within specific period of time. The member secretaries of the scrutiny committees shall maintain such a diary.
- D) The scrutiny committees shall ensure that if for some reason the time limit granted by this Court cannot be adhered to, the scrutiny committees through the member secretaries or otherwise shall move a civil application/s in disposed of writ petition/s seeking extension of time by stating detailed reasons as to why the timeline specified by this Court could not be adhered to. This would obviate filing of repeated writ petitions like the petitions filed by the present petitioner before this Court. Filing of such repeated writ petitions is unnecessarily burdening the docket of this Court. Such applications shall be moved before the timeline expires.

- E) The scrutiny committees are directed to strictly abide by the directions given herein above.
7. The writ petition is disposed of in above direction.
8. Pending Civil Applications, if any, also stand disposed of.
9. The learned Addl. GP assures this Court that a copy of this order will be circulated to all the scrutiny committees

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)