



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

1093 WRIT PETITION NO. 947 OF 2023

PALLAVI YASHWANT BAGUL

VERSUS

THE STATE OF MAHARASHTRA THROUGH EDUCATION
DEPARTMENT AND OTHERS

....

Mr. M. R. Wagh, Advocate for the Petitioner

Mr. S. D. Ghayal, Addl. Government Pleader for Respondent Nos.1
and 2 – State

....

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

DATE : 02.07.2025

PER COURT :-

1. The learned counsel for the Petitioner submits that this Petition can be partly allowed in terms of order dated 11.06.2025 passed by a coordinate Bench of this Court in *Writ Petition No.3569 of 2024 (Swapnil Shivaji Bagul Vs. The State of Maharashtra and others)*. The said Swapnil Shivaji Bagul is the cousin brother of the Petitioner herein and the caste scrutiny claims of both these individuals were decided by a common impugned order dated 14.11.2022.

2. It is submitted that for the reasons stated in the said order passed by a coordinate Bench of this Court, the present Writ Petition may also be partly allowed.

3. The learned AGP submits that in the said order, conditional validity has been granted and this Court may allow this Petition subject to the very same condition.

4. In view of the above, we have perused the judgment and order dated 11.06.2025, passed in Writ Petition No. 3569 of 2024. The reasoning, as well as the operative portion of the order, is contained in paragraph No. 6, which reads as follows:-

“6. We have gone through the papers on record and also the original file of the Respondent No.2 Committee. There is Genealogy which was before the Respondent No.2 Committee, wherein Ramchandra Maharua is shown as common ancestor. The said Genealogy shows that, Ranjeet was son of Vasant; Kisan was son of Ramchandra. The said Genealogy also shows the name of Madanlal, who was son of Mishrilal, who was the son of Kisan. This goes to show that, the said Vasant and Mishrilal are from blood relations of the Petitioner. There is no dispute that, the said uncles, are issued validity towards “Thakur” – Scheduled Tribe by the Scrutiny Committee which are reopened by the Respondent No.2 Committee. The record of the Respondent No.2 Committee shows that, the entry of 1882 in the revenue record of the concerned villages shows the name of Ramchandra Maharua Thakur. The impugned order

does not show that the Committee has considered the said document. Considering the validities in the blood relation, the Petitioner is entitled for the conditional validity towards Thakur – Scheduled Tribe. Hence, we proceed to pass the following order :

ORDER

- (i) The Writ Petition is partly allowed.*
- (ii) The impugned order dated 14/11/2022, passed by the Respondent No.2 – Scrutiny Committee is quashed and set aside.*
- (iii) The Respondent No.2 - Scrutiny Committee shall issue the Tribe Validity Certificate in favour of the Petitioner as belonging to Thakur – Scheduled Tribe. The said validity shall be conditional, subject to the decision to be taken by the Respondent No.2 – Scrutiny Committee in the reopened cases of Ranjeet Vasant Bagul and Madanlal Mishrilal Bagul.*
- (iv) The Respondent No.2 – Scrutiny Committee shall issue Certificate of Validity to the Petitioner in the prescribed format without putting up any additional endorsement thereon.*
- (v) The Petitioner and their blood relations shall co-operate the Respondent No.2 – Scrutiny Committee in early decision of the reopened matters.*
- (vi) The Petitioner shall not be entitled to claim equities.*
- (vii) Writ Petition stands disposed of accordingly.”*

5. We have also perused the genealogy placed on record at page No.98 and considering the same, we are of the opinion that the above quoted reasoning applies to the present Petitioner also.

6. In view of the above, the present Writ Petition is also partly allowed in the following manner:-

- (a) The Writ Petition is partly allowed.
- (b) The impugned order dated 14.11.2022, passed by the Respondent No.2 – Scrutiny Committee, is quashed and set aside in respect of the present Petitioner.
- (c) The Respondent No.2 – Scrutiny Committee, shall issue the Tribe Validity Certificate in favour of the Petitioner as belonging to “Thakur” Scheduled Tribe. The said validity shall be conditional, subject to the decision to be taken by the Respondent No.2 Scrutiny Committee in the reopened cases of Ranjeet Vasant Bagul and Madanlal Mishrilal Bagul.
- (d) The Respondent No.2 – Scrutiny Committee shall issue Certificate of Validity to the Petitioner in the prescribed format without putting up any additional endorsement thereon.
- (e) The Petitioner and her blood relatives shall cooperate the Respondent No.2 Scrutiny Committee in early decision of the reopened matters.
- (f) The Petitioner shall not be entitled to claim equities.
- (g) The Writ Petition stands disposed of accordingly. Pending Civil Applications, if any, also stand disposed of.

[Y. G. KHOBRADE, J.]

[MANISH PITALE, J.]

SMS