



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1555 OF 2025

Nitin Kisan Mudale & Anr.

...Petitioners

Versus

The State of Maharashtra & Ors.

...Respondents

AND

WRIT PETITION NO. 1557 OF 2025

Dnyaneshwar Kisanrao Mudale

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

AND

WRIT PETITION NO. 1570 OF 2025

Jayshri Ramrao Mudale & Ors.

...Petitioners

Versus

The State of Maharashtra & Ors.

...Respondents

- Mr. Vivekanand U Jadhav, for Petitioner in all the petitions.
- Ms. Neha B. Kamble, AGP for Respondent – State in WP/1555/2025.
- Mr. V. M. Kagne, AGP for Respondent – State in WP/1557/2025.
- Mr. S. P. Sonpawale, AGP for Respondent – State in WP/1570/2025.

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

DATE : 12th AUGUST 2025.

P. C. :

1. These petitions were mentioned for being listed out of turn due to urgency projected on behalf of the petitioners.

2. We find that by common order dated 03rd February 2025, passed in these three petitions, while issuing notice to the respondents, this Court granted interim relief in favour of the petitioners to the extent that the employment of the petitioners would not be terminated on the basis of the impugned order invalidating their tribe claims. Such interim order was granted unconditionally.

3. The real urgency being projected in these petitions is on behalf of petitioner No.2 in Writ Petition No.1555 of 2025. It is stated that the said petitioner No.2 is a student and she has taken admission in an engineering / polytechnic college for which she requires validity certificate.

4. We find that the impugned order is a common order, which has considered the tribe claims of eight family members, of whom six are petitioners before this Court. There is no clarity about the remaining two family members having challenged the impugned order.

5. The learned counsel for the petitioners submits that this Court may consider granting conditional validity to petitioner No.2 in Writ Petition No.1555 of 2025, in the light of the fact that she is a student and there is grave urgency in the matter. But, we find that

serious issues arise in these petitions, one of which pertains to petitioner No.3 in Writ Petition No.1570 of 2025. In respect of said petitioner, in the impugned order, the respondent – Scrutiny Committee has specifically observed that the tribe / caste certificate of the said petitioner pertaining to the Scheduled Tribe Mahadev Koli is itself found to be fabricated and concocted. This is for the reason that the office / authority that is supposed to have issued the said certificate has communicated that no such certificate was issued by the office.

6. The respondent – Scrutiny Committee has also made observations on the merits of the matter and it is specifically held that the validity certificates granted to other family members are being reopened.

7. In such circumstances, we find that dealing with the case of the petitioner No.2 in Writ Petition No.1555 of 2025, i.e. the student in a piecemeal manner would not be appropriate, as the impugned order is a common order.

8. Therefore, we are not inclined to grant any interim relief in favour of the said petitioner, as it would amount to granting final relief

at interim stage. The petitions need to be heard in detail, with reference to the original record.

9. Even with regard to the blanket interim order passed in favour of the other petitioners, who are in employment, we are of the opinion that appropriate undertakings need to be submitted by the said petitioners as a condition for continuing the said interim relief in terms of the observations made by the Hon'ble Supreme Court in the case of **Chairman and Managing Director of Food Corporation of India and others versus Jagdish Balaram Bahira and others**¹.

10. In view of the above, list these petitions for further consideration / hearing on **07th October 2025**.

11. The original record pertaining to these petitions be kept ready for perusal of this Court on the next date of hearing.

12. The interim order dated 03rd February 2025, shall continue to operate subject to the petitioners filing undertakings on affidavit within two weeks before this Court that during the pendency of these petitions, they shall not claim any service benefits such as promotion, increment, pay fixation etc. in terms of the observations made by the Hon'ble Supreme Court in the aforesaid judgment.

1 AIR 2017 SC 3271

13. Copies of such undertakings shall be placed by the petitioners before their respective employers within two weeks from today and proof thereof shall also be filed in this Court, within the said period of time.

14. Writ Petition No.1555 of 2025 tag with Writ Petition Nos.1557 of 2025 and Writ Petition No.1570 of 2025.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)