



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.10618 OF 2025

SHIVAJI MADHAVRAO YAMALWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the Petitioner : Mr. Thorat Chandrakant R.
AGP for Respondents: Mr. R.K. Ingole
...

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

DATE : 02.09.2025

PER COURT:

1. Heard learned counsel for the petitioner.
2. The petitioner has challenged impugned order dated 30.07.2025 passed by the respondent No.2 – Scrutiny Committee, whereby, the tribe claim of the petitioner of belonging to Scheduled Tribe ‘Mannervarlu’ has been rejected. Since it is a common order, whereby, the tribe claims of the nephew and niece of the petitioner were also rejected, the learned counsel for the petitioner relies upon order dated 11.08.2025 passed by this Court in Writ Petition No.10026/2025. It is submitted that the said nephew and niece of the petitioner have been granted conditional validity and, therefore, this Court may consider passing a similar order in the present petition.
3. But we find that the nephew and niece intended to pursue

professional courses and due to the urgency in their matter, the said writ petition was taken up for consideration and validity certificates have been granted in their favour subject to the result of the reopened proceedings of paternal blood relatives and also subject to appropriate undertakings being filed by them.

4. In the present case, we are of the opinion that the respondents ought to be given an opportunity to respond to the claims made on behalf of the petitioner and if the petitioner is apprehending termination of service only on the basis of the impugned order, limited interim relief can be granted during the pendency of this petition.

5. In view of the above, issue notice, returnable on 14.10.2025. Learned AGP waives notice on behalf of the respondent Nos.1 and 2.

6. In the meanwhile, it is directed that the service of the petitioner shall not be terminated only on the basis of the impugned order passed by the respondent No.2 – Scrutiny Committee, subject to the petitioner filing an appropriate undertaking on affidavit within two weeks before this Court that during the pendency of the present writ petition he shall not claim any service benefits such as promotion, increment, pay fixation, confirmation etc. Such an undertaking on affidavit shall also be filed before the respondent no.4 and proof thereof shall be placed on record before this Court within two weeks from today.

7. Reply affidavit, if any, be filed within four weeks.

8. Original record of the case shall be kept ready for perusal of this Court on the next date of listing.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)

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