



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

955 WRIT PETITION NO. 6309 OF 2024

KALYANSINGH BHARATSINGH PATIL

VERSUS

**THE STATE OF MAHARASHTRA THROUGH THE SECRETARY
AND OTHERS**

...

Mr. Patil Chandrakant P., Advocate for the Petitioner

Mr. S. P. Sonpawale, AGP for Respondent-State

....

**CORAM : SANDIPKUMAR C. MORE AND
ABASAHEB D. SHINDE, JJ.**

DATED : 26/03/2026

P. C. : (PER : ABASAHEB D. SHINDE, J.) :

1. Heard.

2. By this writ petition, the petitioner challenges the order dated 28/05/2024 passed by Respondent No. 2 / Scrutiny Committee, whereby the tribe claim of the petitioner, claiming to belong to "Rajput Bhamta Vimukta Jati (A)," has been invalidated.

3. Learned counsel for the petitioner submits that Respondent No. 2 / Scrutiny Committee decided the proceedings without granting sufficient opportunity to the petitioner. He further submits that, in fact, on 18/01/2024, Respondent No. 2 / Scrutiny Committee had directed the petitioner to establish his relationship with the validity holder, namely Deepak Vasant Patil and the proceedings were adjourned to 25/02/2025. It is further

submitted by the learned counsel for the petitioner that during the said interregnum period, the petitioner was admitted to the hospital on account of suffering from urinary stone, as a result of which he could not remain present on 25/02/2025. He further submits that, despite this, the respondent / Scrutiny Committee passed the impugned order on 25/02/2025, thereby invalidating the tribe claim of the petitioner. He, therefore, submits that since the petitioner has been deprived of a sufficient opportunity of hearing to substantiate his tribe claim, the matter needs to be remanded back to the respondent / Scrutiny Committee.

4. Per contra, the learned AGP submits that the petitioner has utterly failed to avail himself of the opportunity to substantiate his tribe claim and could not produce cogent evidence on record in that regard.

5. Be that as it may, we find that the validity certificate of one Deepak Vasant Patil, on which the petitioner is placing reliance, was already placed before the respondent / Scrutiny Committee. The petitioner also appears to have placed on record documents to establish his relationship with the said validity holder.

6. We find that the documents substantiating that the petitioner was suffering from urinary stone have already been placed before this Court. We are, therefore, of the view that the petitioner deserves to be granted one more opportunity to substantiate his tribe claim in the interest of justice. Accordingly, we are inclined

to remand the matter back to Respondent No. 2 / Scrutiny Committee. We, therefore, pass the following order:

ORDER

- A) The writ petition is partly allowed.
- B) The impugned order dated 28/05/2024 passed by Respondent No. 2 / Scrutiny Committee is hereby quashed and set aside.
- C) The matter is remanded to Respondent No. 2 / Scrutiny Committee to grant sufficient opportunity to the petitioner to substantiate his tribe claim, including establishing his relationship with the caste validity holder on whom the petitioner relies.
- D) It is made clear that this Court has not expressed any opinion on the merits. Respondent No. 2 / Scrutiny Committee shall decide the proceedings in accordance with law and on its own merits.
- E) With these directions, the writ petition stands disposed of.

(ABASAHEB D. SHINDE, J.) (SANDIPKUMAR C. MORE, J.)