



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1000 WRIT PETITION NO. 12898 OF 2024

Madhukar Ramdas Baviskar

VERSUS

The State Of Maharashtra Through Its Secretary And Others

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Mr. Anandsingh S Bayas Nagsen Gawai, Advocate for the Petitioner
Mr. N. B. Patil, AGP for Respondents

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

DATED : 21st APRIL 2026

ORDER (Per Abasaheb D. Shinde J.) :-

1. Heard.
2. By this Writ Petition, the petitioner seeks to challenge the order dated 30.07.2024 passed by Respondent No.2/Scrutiny Committee by which the tribe claim of the petitioner of belonging to 'Koli Malhar', Scheduled Tribe has been invalidated.
3. The learned Counsel for the petitioner inviting our attention to the affidavit filed by one Babasaheb Devidas Baviskar who has been issued validity by Respondent No.2/Scrutiny Committee as well as the affidavit filed by one Shekhar Devidas Baviskar who also claims to have received the validity from Respondent No.2/Committee, submits that both these validity holders are blood relatives of the petitioner and based on that the petitioner seeks validity.

4. Per contra, learned AGP submits that though the said Babasaheb Devidas Baviskar and Shekhar Devidas Baviskar have filed respective affidavits, however the genealogy appended with the said affidavits are different and does not match with each other. He therefore submits that the petitioner cannot derive the benefits out of their validities.

5. Be that as it may, since the petitioner claims that the validity holders (supra) are his blood relatives and since the petitioner will have to establish his relationship before Respondent No.2/Scrutiny Committee, we find that it would be expedient in the interest of justice to remand the matter back to Respondent No.2/scrutiny Committee so as to give one more opportunity to the petitioner to establish his relationship with the validity holders. In that view of the matter, we are inclined to remand the matter back for deciding the same afresh. Therefore, we pass the following order :-

:: O R D E R ::

- i. Writ Petition is partly allowed.
- ii. The impugned order dated 30.07.2024 passed by Respondent No.2/Scrutiny Committee by which the tribe claim of the petitioner of belonging to 'Koli Malhar', Scheduled Tribe has been invalidated, is hereby quashed and set aside.

iii. The matter is remanded back to Respondent No.2/Scrutiny Committee for giving one more opportunity to the petitioner to establish his relationship with the validity holders, mentioned hereinabove.

iv. Respondent No.2/Scrutiny Committee shall decide the matter in accordance with law on its own merits if required even by holding fresh Vigilance Cell Enquiry so as to ascertain the relationship of the petitioner with the validity holder.

[ABASAHEB D. SHINDE, J.]

[SANDIPKUMAR C. MORE, J.]