

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

962 WRIT PETITION NO. 2929 OF 2025

RAJENDRA DAYARAM ALIAS DAYANAND BIRHARI
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...
Mr. S.P. Tiwari, Advocate holding for Mr. A.K. Tiwari,
Advocate for the petitioner.
Mrs. Chaitali R. Choudhari, A.G.P. for respondent Nos.1 and 2.
...

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

DATED : 16 JANUARY 2026.

Per Court :

1. Rule. Rule made returnable forthwith. With consent of the parties, this petition is taken up for hearing at the admission stage.
2. By this writ petition, the petitioner is challenging the order dated 10.12.2024 passed by the respondent/Scrutiny Committee, Dhule by which the proposal seeking verification of the tribe claim of the petitioner has been disposed of since the petitioner has failed to extend co-operation in deciding the said proposal.
3. Learned counsel for the petitioner submits that due to some unavoidable circumstances, the petitioner could not keep track on the said proceedings and now the petitioner is ready

to co-operate to the Scrutiny Committee for early disposal of his tribe claim. He undertakes that the petitioner will appear before the respondent/Scrutiny Committee on 10.02.2026 at 11.00 a.m.

4. Learned A.G.P. submits that after filing of said proposal seeking verification of the tribe claim, the petitioner failed to extend co-operation and despite the fact that the Scrutiny Committee issued several notices calling upon the petitioner to participate in the proceedings, the petitioner failed to do so and that is why Scrutiny Committee is constrained to dispose of the proceedings filed by the petitioner.

5. Be that as it may, since it is a matter of social status, we find that in the interest of justice, the matter needs to be remanded back to the Scrutiny Committee, so that the decision on merit could be taken by giving proper opportunity to the petitioner to establish his tribe claim. In that view of the matter, we allow the writ petition partly and pass the following order.

ORDER

- (i) Writ petition is partly allowed.
- (ii) The impugned order dated 10.12.2024 passed by respondent No.2/Scrutiny Committee, Dhule is quashed and set aside.

- (ii) The matter is remanded back to the Scrutiny Committee to decide the same afresh in accordance with law and on its own merits.
- (iii) We make it clear that the petitioner shall extend full co-operation for disposal of his tribe claim.
- (iv) The petitioner shall appear before the respondent-Scrutiny Committee on 10.02.2026 at 11.00 a.m.

6. With these directions, the writ petition stands disposed of.

(ABASAHEB D. SHINDE)
JUDGE

(SANDIPKUMAR C. MORE)
JUDGE