



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

1043 WRIT PETITION NO. 6415 OF 2025

SHILPA BALAJI NIRDE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...

Mr. Bolkar Yogesh B., Advocate for the Petitioners.

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

....

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

DATED : 28/01/2026

P. C. :

1. Heard.
2. By the present writ petition, the petitioners take exception to the common judgment and order dated 02/05/2025 passed by Respondent – Tribe Scrutiny Committee, whereby the tribe claim of the petitioners, belonging to “Mannervarlu,” Scheduled Tribe has been rejected.
3. Learned counsel for the petitioners submit that the petitioners have relied on the genealogy filed along with the affidavit of one Shankar Gangadhar Nirde, who is one of the validity holder is their blood relative and even the Scrutiny

Committee has not disputed the relationship of the petitioners with the said validity holder. He, however, submits that instead of conducting a fresh vigilance cell enquiry to ascertain whether the petitioners are able to establish their tribe claims as well as their relationship with the validity holders, the Scrutiny Committee has relied on the vigilance cell enquiry conducted in respect of one Gangadhar Nirde and Maruti Uttam Nirde, without giving the petitioners an opportunity to reply to the same. He, therefore, prays that the impugned order may be set aside and the matter be remanded back for fresh consideration.

4. Per contra, learned AGP submits that, beside the fact that the petitioners have failed to establish their tribe claims, the genealogy submitted by the validity holders does not tally with the genealogy submitted by the petitioners. He therefore urges that, since the petitioners have utterly failed to establish their relationship with the validity holders, the writ petition deserves to be dismissed.

5. Having heard learned counsel for the petitioners and learned AGP, we find that, for the limited purpose of giving sufficient opportunity to the petitioners to establish their tribe claims as well as their relationship with the validity holders, it is appropriate to remand the matter to the Scrutiny Committee. The Scrutiny

Committee shall conduct a fresh vigilance cell enquiry to ascertain the relationship of the petitioners with the validity holders, on the basis of which the petitioners claim validities, as well as to consider any documents adverse to the petitioners.

6. In view of the above, we pass the following order.

ORDER

- A) The writ petition is partly allowed.
- B) The impugned order dated 02.05.2025 passed by respondent No.2/Scrutiny Committee is quashed and set aside.
- C) Considering the fact that Petitioner Nos. 1 and 2 are in service, we direct the Respondent – Scrutiny Committee to make an endeavour to decide the tribe claims of the petitioners as expeditiously as possible and preferably within a period of three months from today.
- D) With these directions, the writ petition stands disposed of.

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