



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

936 WRIT PETITION NO. 10316 OF 2025

Durgesh Subhash Pardeshi

VERSUS

The State Of Maharashtra And Others

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Mr. Pralhad C. Bhagure, Advocate for the Petitioner

Mr. S. P. Sonpawale, AGP for Respondents/State

...

CORAM : SANDIPKUMAR C. MORE AND

ABASAHEB D. SHINDE, JJ.

DATED : 11TH MARCH 2026

PER COURT (Per Abasaheb D. Shinde J.) :-

1. Heard.
2. Rule. Rule made returnable forthwith. By consent of the parties heard finally at the stage of admission.
3. The petitioner is taking exception to the order dated 07.10.2024 passed by Respondent No.2-Scrutiny Committee by which the tribe claim of the petitioner of belonging to 'Rajput Bhamta', Vimukt Jati (A) has been invalidated.
4. Learned Counsel for the petitioner relying on the pleadings of the petition submit that one of the blood relative namely, Gangaram laxmansing Pardeshi to whom Respondent No.2-Scrutiny Committee has issued validity certificate on 29.09.2018 could not be shown in the genealogy submitted by the petitioner before the Respondent

No.2-Scrutiny Committee. He would further submit that the petitioner was not aware that the said validity holder who is his blood relative has been granted validity and therefore the same could neither be placed on record nor his name was mentioned in the genealogy. He, therefore, submit that in order to get fair opportunity to the petitioner to substantiate his tribe claim the matter may be remanded back to the Respondent No.2-Scrutiny Committee.

5. Per contra, the learned AGP would submit that the petitioner has failed to produce oldest document of pre-independence era. He would further submit that there are certain interpolations and contra entries which show that the petitioner does not belong to 'Rajput Bhamta', Vimukt Jati (A). He would further submit that even the petitioner has failed to produce the school record of his father. He therefore submit that there is not substance in the Writ Petition.

6. Having heard the learned Counsel for the petitioner and learned AGP, we find that there are specific pleadings in the Writ Petition that the validity certificate of blood relative of the petitioner could not be placed on record when the proposal of petitioner's tribe claim was submitted.

7. We thus find that in order to get fair opportunity to the petitioner to substantiate his tribe claim the matter needs to be

remanded back to Respondent No.2-Scrutiny Committee. We, therefore, pass the following order :-

O R D E R

- i. Impugned order dated 07.10.2024 passed by the Respondent No.2-Scrutiny Committee is hereby quashed and set aside and the matter is remanded back to Respondent No.2-Scrutiny Committee.
- ii. The Respondent No.2-Scrutiny Committee shall verify the genuineness of the caste validity certificate issued in favour of Gangaram laxmansing Pardeshi including giving opportunity to the petitioner to substantiate his relationship with the said validity holder, if required. The Respondent No.2-Scrutiny Committee may also conduct fresh Vigilance Cell Enquiry in order to ascertain the relationship of the petitioner with the said validity holder.
- iii. Writ Petitions stands disposed of.
- iv. Rule is made absolute in above terms.

[ABASAHEB D. SHINDE, J.]

[SANDIPKUMAR C. MORE, J.]