



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

**15 CIVIL APPLICATION NO. 1707 OF 2025
IN WP/3206/2013**

UTTAM TRIMBAK SABLE AND OTHERS
VERSUS
THE SCHEDULED TRIBES CERTIFICATE SCRUTINY COMMITTEE,
AURANGABAD AND OTHERS

Mr. Mahesh S. Deshmukh h/f. Mr. D.S. Patil, Advocate for the applicants.
Ms. U.S. Bhosale, AGP for the respondent-State.
Mr. A.V. Hon, Advocate for respondent No.2 in WP.

**CORAM : KISHORE C. SANT &
SUSHIL M. GHODESWAR, JJ.**
DATE : 20.04.2026

PC :-

01. Heard learned Advocates for the parties. This application is filed for bringing on record legal heirs of petitioner No.1 – Uttam, petitioner No. 2 - Gitaram and petitioner No. 3 - Astik. There is delay of 39, 4001 and 2873 days respectively caused in filing this application.

02. Learned Advocate Mr. Hon for the respondent vehemently opposes this application. He submits that the petition itself is not maintainable. The petition is filed through power of attorney holder, who happens to be a builder and has interest in the property, which is allegedly transferred by deceased Tarabai in favour of present respondent No.2. He submits that when Tarabai is no more and when the cast claim of deceased Tarabai is under question, there is no question of present applicant contesting the writ petition.

03. This Court finds that all the objections are about maintainability of the petition. Objection to the application is also on the basis that the petition itself is not maintainable. This Court finds that there is no dispute as regards relation of the present applicants with the deceased petitioners.

04. Considering the above, this Court finds that this application deserves to be allowed by condoning the delay. For the reasons stated in the application, the delay stands condoned. This application is allowed. Necessary amendment be carried out within two weeks from today. The petition be moved thereafter.

05. It is made clear that all the observations made in this order are for the purpose of deciding this application and this Court has not observed anything about status and maintainability of the petition.

[SUSHIL M. GHODESWAR, J.]

[KISHORE C. SANT, J.]