



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

927 WRIT PETITION NO. 3451 OF 2026

Roshan Prabhakar Mutyepod

VERSUS

The State Of Maharashtra Through Its Secretary And Ors

...

Mr. Sunil M. Vibhute, Advocate for the Petitioner

Mr. G. A. Kulkarni, AGP for Respondents/State

...

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

DATED : 10TH APRIL 2026

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

1. Heard the learned Counsel for the petitioner and learned AGP for Respondent/State.
2. By this Writ Petition, the petitioner has challenged the order dated 10.07.2018 passed by Respondent No.2/Scrutiny Committee invalidating the tribe claim of the petitioner of belonging to 'Mannervarlu', Scheduled Tribe.
3. We could have dismissed the Writ Petition on the ground of delay and laches, however in order to show *bona fide* of filing this petition belatedly, we had directed the petitioner to deposit Rs.1,00,000/- for entertaining this petition and petitioner accordingly has deposited the said amount as directed by this Court. We are therefore inclined to entertain this petition solely on the ground that

the matter pertains to social status of the petitioner.

4. We find that the tribe claim of the petitioner and his brother was decided by the impugned common order. As far as the matter of petitioner's brother is concerned, he had approached this Court by filing Writ Petition No.10759 of 2018 and this Court by an order dated 15.04.2019 had remanded the matter back to Respondent No.2/Scrutiny Committee. After remand Respondent No.2/Scrutiny Committee by its order dated 11.08.2024 invalidated the tribe claim of the petitioner's brother. It is informed across the bar that the petitioner's brother has already approached this Court by filing Writ Petition No.300 of 2025.

5. Be that as it may. Since the impugned order itself was set aside by this Court by order dated 15.04.2019 by remanding the matter back, the learned Counsel for the petitioner seeks remand of the matter so as to solicit similar order from Respondent No.2/Scrutiny Committee.

6. We have heard the learned AGP for the Respondent Authorities. He fairly concedes for remand of the matter in the light of earlier order dated 15.04.2019 passed by this Court in Writ Petition No.10759 of 2018. We are therefore inclined to entertain this Writ Petition though it suffers from delay and laches and set aside the

impugned order dated 10.07.2018 passed by Respondent No.2/Scrutiny Committee and remand the matter back for passing a formal order of invalidation unlike petitioner's brother.

7. The writ petition thus stands disposed of by remanding the matter back to Respondent No.2/Scrutiny Committee. Hence the following order :-

:: O R D E R ::

- i. Writ Petition is partly allowed.
- ii. The impugned order dated 10.07.2018 passed by Respondent No.2-Scrutiny Committee thereby invalidating the tribe claim of the petitioner of belonging to 'Mannervarlu', Scheduled Tribe is hereby quashed and set aside.
- iii. The matter is remanded back to Respondent No.2-Scrutiny Committee so as to pass the order as aforesaid.
- iv. The Registry is directed to pay the amount deposited by the petitioner, i.e. Rs.1,00,000/-, by paying 50% of the amount, i.e. 50,000/- in the Bank Account of 'Anamprem' Anamprem Mandir, Gandhi Maidan, Behind Snehalaya Bhavan, Ahmednagar (Mobile No.942220123), to be used for the welfare of specially-abled children, and the remaining 50% amount, i.e. Rs.50,000/- to 'Deepstambh Foundation', details of which are as under :-

Name : Deepstambh Foundation
Bank Name : ICICI Bank
A/c. No. : 037501008110 (Savings)
IFSC Code : ICIC0000375
Contact No. : 8459558844 (Mr. Anup Chaudhari)

v. With these directions writ petition stands disposed of.

[ABASAHEB D. SHINDE, J.]

[SANDIPKUMAR C. MORE, J.]