

Sharayu Khot.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 14155 OF 2022

Ganpat Maruti Sable

...Petitioner

Versus

State of Maharashtra & Ors.

...Respondents

Mr. C.K. Bhangoji i/by V.A. Madane for the Petitioner.

Mr. N.C. Walimbe, Addl.G.P. a/w. P.B. Chavan, AGP for the Respondent-State.

Mr. Aniruddha A. Garge for the Respondent No. 3.

**CORAM : R.I. CHAGLA J
ADVAIT M. SETHNA, J**

DATE : 27 April 2026

ORDER :

1. The learned Counsel for the Petitioner has referred to the additional Affidavit filed on behalf of the Petitioner dated 3rd July 2025, wherein the Petitioner has stated that after filing of the Writ Petition, he came across the document in nature of school record in respect of his real grandfather, viz. Arjuna Ganu Sable showing his date of admission as 30th September 2012 and caste entry

recorded as “Mahadev Koli”. He has stated that he could not produce the said document during the proceedings before Respondent No. 2 – Committee, as it was not in his possession. He has accordingly, sought for remand of the matter back to the Respondent No. 2 – Committee for consideration of the aforementioned pre-constitution document.

2. The learned Addl. GP appearing for the Respondent No.2 – Scrutiny Committee has no objection to the remand of the matter, subject to all rights and contentions of the parties being kept open.

3. In view thereof, we pass the following order:-

- i. The impugned order dated 16th March 2022 passed by Respondent No. 2 – Committee is quashed and set aside by remanding the matter back to the Respondent No. 2 – Committee.
- ii. The Petitioner shall make a fresh representation along with documents relied upon as well as the aforementioned document viz. the school record in

respect of the Petitioner's real grandfather Arjuna Ganu Sable showing the date of admission as 30th September 2012 and caste entry recorded as "Mahadev Koli" (Exh.A to the additional Affidavit dated 3rd July 2025) to the Respondent No. 2 – Committee within a period of two weeks from the date of this order.

- iii. Respondent No. 2 – Scrutiny Committee shall upon hearing the Petitioner on his Tribe claim pass a fresh reasoned order within a period of eight weeks from receipt of the fresh representation of the Petitioner.
- iv. Respondent No. 2 -Committee shall communicate the fresh reasoned order to the Petitioner within a period of one week from passing of the same.
- v. In the event, the Respondent No. 2 – Committee passes the order in favour of the Petitioner, consequential action shall follow.

- vi. In the event, the adverse order is passed against the Petitioner by the Respondent No. 2 – Committee, the Petitioner is at liberty to adopt appropriate proceedings in accordance with law.
- vii. We have not expressed any opinion on the merits of the Petition. The rights and contentions of the parties are expressly kept open.
- viii. Writ Petition is disposed of in the above terms. No order as to costs.
- ix. Interim Application filed in the Writ Petition does not survive and is also disposed of.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA J.]