

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

WRIT PETITION NO. 2596 OF 2014

DEEPAKKUMAR SHRAVAN SONAWANE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Bayas Anandsing
AGP for Respondent/State : Mr. D.V. Tele
Advocates for Respondent no.2 : V.M. Mane
Advocate for Respondent nos. 3 and 4 : Mr. Bondar U.B.

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CORAM : S.S. SHINDE & P.R. BORA, JJ.
Dated: March 24, 2015

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PER COURT :-

Rule. Rule made returnable forthwith and heard finally by consent of respective parties.

2. The petitioner is working as an Assistant Teacher in the school run by the Zilla Parishad. His tribe claim is pending before Respondent No.2 – Committee. Pending tribe claim, the petitioner has received the notice from the employer stating that, why action should not be taken against the petitioner on the count that, he has not submitted the tribe claim validity. The said communication is impugned in this Petition.

3. We have heard the learned counsel appearing for the respective parties. The fact that, the tribe claim of the petitioner is pending is stated even by the learned counsel appearing for Respondent No.2. In that view of the

matter, the ends of justice will be met by directing Respondent No.2 – Committee to decide the tribe claim of the petitioner, as expeditiously as possible, however, in any case, within 8 months from today and till then the services of the petitioner should be protected. In the result, the following order :-

ORDER

(i) Respondent No.2 is directed to decide the tribe claim of the petitioner, as expeditiously as possible, however, in any case, within eight (8) months from today.

(ii) Needless to observe that, the petitioner should extend full co-operation to Respondent No.2 for early disposal of the tribe claim.

(iii) Till tribe claim of the petitioner is decided by Respondent No.2, no adverse action will be taken against the petitioner on the ground that, he has not submitted the tribe claim validity.

4. Rule is made absolute accordingly.

5. The Petition is disposed of in the above terms.

(**P.R. BORA, J.)**

(**S.S. SHINDE, J.)**

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sga/-