

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

**WRIT PETITION NO. 10863 OF 2014**

Minal Bharatsingh Thakur .. Petitioner

**Versus**

The State of Maharashtra and Others .. Respondents

Shri K. T. Shirurkar, Advocate for the Petitioner

Shri S. A. Ambade, A. G. P. for the Respondent No. 1

Shri K. D. Bade Patil, Advocate for the Respondent Nos. 2

Shri D. S. Bagul, Advocate for the Respondent Nos. 3 and 4

**CORAM : S. V. GANGAPURWALA AND  
A. I. S. CHEEMA, JJ.**

**DATE : 07TH APRIL, 2015.**

**PER COURT :**

1) The petitioner seeks disbursement of salary as a Primary Trained Teacher on the ground that, he has completed three years of service as Shikshan Sevak.

2) We have heard the learned counsel for the respondents also.

3) The caste claim of the petitioner is invalidated. The petitioner is appointed in the year, 2009. As per the judgment of the Full Bench of this Court in a case of **Arun Vishwanath Sonone V/s State of Maharashtra and Others** reported in **2015 (1) Mh. L. J. 457,** such person appointed after the enactment of the Maharashtra Scheduled Castes, Scheduled Tribes De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes And Special Backward Category (Regulation of Issuance And Verification of) Caste Certificate Act, 2000, are not entitled for protection.

2) However in writ petition No. 8039 of 2009 filed by the petitioner challenging the decision of the Committee invalidating the tribe claim some interim orders are passed. The said writ petition is not yet admitted. The petitioner is at liberty to make the prayer made in the present writ petition, in the writ petition bearing No. 8039 of 2009 pending before this Court.

3) Writ petition is accordingly disposed of. No costs.

[ A. I. S. CHEEMA, J. ]

[ S. V. GANGAPURWALA, J. ]