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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1478/2016

Sandip s/o Bharatsing Thakur,
age 35 yrs., occu.service as
Accounts Assistant,
r/o House No.2549/2, Aadarsh
Residency, Badnapur Tq.Badnapur.
Dist.Jalna.

...Petitioner..

Versus

The State of Maharashtra,
through its Secretary,
Energy Department, Mantralaya,
Mumbai - 32 and two others.

...Respondents...

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Shri A.H. Koralkar, Advocate for petitioner.
Shri A.R. Kale, AGP for respondent nos.1 & 2.
Respondent no.3 served.

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CORAM: R.M. BORDE &
K.L. WADANE, JJ.
DATE: 29.06.2016

ORDER :

1] The petitioner claims to belong to Thakur scheduled tribe category. He has been appointed as Accounts Assistant in the office of the respondent no.3 as against a seat earmarked for scheduled tribe category in the year 2001. The tribe validation claim in respect of the certificate issued to the petitioner is pending consideration with the respondent no.2 since July, 2012 and no decision as yet has been recorded by the scrutiny

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committee. As a result of failure of the scrutiny committee to take decision, the employer has not regularized the services of the petitioner.

2] This petition can be disposed of by issuing directions to the respondent no.2 to take decision in respect of the certificate issued to the petitioner as expeditiously as possible and preferably within a period of eight months from today.

3] The respondent no.3, though served, has not caused appearance. The respondent no.3 is directed to regularize the services of the petitioner subject to decision in respect of validation claim pending with the scrutiny committee if the petitioner fulfills all other requirements prescribed by the employer and shall grant him pay-scale prescribed for the regular appointee.

4] The writ petition is disposed of accordingly with no order as to costs.

(K.L. WADANE, J.)

(R.M. BORDE, J.)