

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.3028 OF 2016

Shaligram S/o. Khumansing Mahale
Age-47 Years, Occu:Service
(as Agricultural Assistant),
R/o-Jairambaba Nagar, Kalwan,
Tq-Kalwan, Dist-Nasik.

...PETITIONER

VERSUS

- 1) The State of Maharashtra,
Department of Agricultural, Animal
Husbandry, Dairy Development
and Fisheries Department,
Through its Secretary,
Mantralaya, Mumbai-32,
- 2) The Committee for Scrutiny
and Verification of Tribe Claims,
Nandurbar Division, Nandurbar,
Through its Member Secretary,
- 3) The Divisional Joint Director
of Agricultural, Nasik Division,
Near Old Revenue Commissioner Office,
Nasik Road, Nasik, Dist-Nasik.

...RESPONDENTS

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Mr. A.H. Koralkar, Advocate for Petitioner.
Mr. V.H. Dighe, A.G.P. for Respondent
Nos. 1 to 4.

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

DATE : 14TH MARCH, 2016

ORDER :

1. Heard. Notice to Respondents. The learned A.G.P. waives notice for all the Respondents.

2. Mr. Koralkar, learned counsel submits that in the year 2004 the tribe claim of the Petitioner as belonging to "Thakur", Scheduled Tribe was referred to the Scrutiny Committee. Vide notice dated 20th April, 2015 the Petitioner was interviewed by the Scrutiny Committee, however Judgment is not yet delivered. Respondent No.3 has issued notice dated 25th February, 2016 directing the Petitioner to produce validity certificate within one month, else the services will be terminated.

3. We have heard learned A.G.P.

4. In case the Judgment is not yet delivered in the tribe claim of the Petitioner by the Scrutiny Committee, then the Scrutiny Committee shall deliver the same expeditiously. Till the Judgment is delivered by the Scrutiny Committee, Respondent No. 3 - employer shall not take any adverse action against the Petitioner only on the ground that his validation proceedings are pending. Of course, Respondent No. 3 can take further course of action in tune with the Judgment delivered by the Scrutiny Committee.

5. The Writ Petition accordingly disposed of. No costs.

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

asb/MAR16

[S.V. GANGAPURWALA, J.]