

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

WRIT PETITION NO. 4217 OF 2016

Preeti Devidas Garde

...PETITIONER

versus

Education Officer (Primary)
Zilla Parishad, Aurangabad and others

...RESPONDENTS

.....
Mr. S.S. Phatale Advocate for petitioner
Mr. P.S. Patil, AGP for respondents No. 1 and 3
Mr. P.V. Barde, Advocate for respondent No. 2
.....

**CORAM : R.M. BORDE AND
K.K. SONAWANE, JJ.**

DATED : 18th OCTOBER, 2016.

Order :-

1. Petitioner claims to be belonging to '*Koli Mahadeo*' schedule tribes. The petitioner has been appointed as '*Shikshan Sevak*' as against seat reserved for Scheduled Tribe Category in respondent No. 2 Institution. The case certificate issued in favour of the petitioner is referred for verification to respondent No. 3 - Scrutiny Committee and said proposal is stated to be pending. As a result of failure of the petitioner to submit the caste validity certificate, respondent No. 2 Institution has not referred the proposal to respondent No. 1 - Education Officer for according approval to the appointment of petitioner. Petitioner undertakes to co-operate the Scrutiny Committee in rendering decision within prescribed time frame.

2. In the circumstances, this petition can be disposed of by issuing directions to respondent No. 3-Scrutiny Committee to take decision on the caste certificate verification proposal in respect of the petitioner, as expeditiously as possible, preferably within a period of eight months from today and it is accordingly directed.

3. Respondent No. 2 - Institution shall forward proposal for approval of the petitioner's appointment, if same has not been forwarded to respondent No. 1, as expeditiously as possible, within a period of eight weeks from today. On receipt of proposal, respondent No. 1 - Education Officer shall consider the same on its own merits, in accordance with law and if the petitioner is found eligible, shall grant provisional approval to the appointment of petitioner subject to result of the caste certificate verification claim pending with respondent No. 3- Scrutiny Committee.

4. With observations as above, writ petition stands disposed of.

Sd/-

[K. K. SONAWANE, J.]

Sd/-

[R.M. BORDE, J.]

MTK