

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

WRIT PETITION NO. 6389 OF 2016

Rajanikant Anandrao Pokle,
Age; 27 years, occu: Service,
R/o Telangwadi, Tq. Khandar
District: Nanded, At present Soygaon,
Tq. Soygaon, Dist. Aurangabad.

...PETITIONER

versus

1. The State of Maharashtra
Through Secretary to Tribal
Development Department,
Mantralaya, Mumbai
2. The Chief Executive Officer,
Zilla Parishad Aurangabad
District Aurangabad.
3. The Block Development Officer,
Panchayat Samiti Soygaon,
Tq. Soygaon, Dist. Aurangabad.
4. The Scheduled Tribe Caste Certificate
Verification committee Aurangabad,
Through its Dy. Director (R),
Aurangabad. ...RESPONDENTS

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Mr. S. M. Vibhute, Advocate for Petitioner
Mr. P. S. Patil, AGP for Respondents No. 1 & 4
Mr. D. K. Rajput, Advocate for Respondents No. 2 & 3

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

DATED : 16th SEPTEMBER, 2016.

ORAL JUDGMENT : (PER : R.M. BORDE, J.)

1. Rule. Rule made returnable forthwith. With consent of learned counsel for the parties the petition is taken up for final disposal at the admission stage.

2. The petitioner came to be appointed as contractual Gramsevak with respondent No. 2 - Zilla Parishad, Aurangabad. Since the petitioner was

appointed against reserved category, he was directed to submit caste validation proposal within prescribed period. The petitioner contends that, the proposal tendered by the employer for verification of the tribe certificate is pending consideration with respondent No. 4- Scrutiny Committee and the proposal has not yet been finally decided. In the facts of the case, this petition can be disposed of by directing respondent No. 4- Scrutiny Committee to take decision in respect of caste validation claim of the petitioner as expeditiously as possible, preferably within a period of one year from today and it is accordingly directed.

3. The petitioner contends that, in view of clause 8 of the appointment order, on completion of three years of continuous service, the services of the petitioner are liable to be regularized subject to availability of the post. The petitioner submits that, the posts are available and since he has completed three years service, his services are liable to be regularized provisionally subject to submission of the caste validation claim.

4. In the facts of the case, respondent No. 2 is directed to provisionally regularize the services of the petitioner subject to furnishing the caste validation certificate on declaration of the decision of the Caste Scrutiny Committee and subject to availability of the post. Rule is accordingly made absolute in terms of the directions issued as above. There shall be no order as to costs.

Sd/-
[K. K. SONAWANE, J.]

Sd/-
[R.M. BORDE, J.]