

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7527 OF 2016

Lavkush S/o Kerba Nilewad
Age: 38 years, occu: service,
R/o Hadolti Tq. Ahmedpur,
Dist. Latur
At present Palam, Tq. Palam,
Dist. Parbhani

Petitioner

Versus

- 1 The State of Maharashtra
Through Secretary to Rural Development
Department, Mantralaya, Mumbai
- 2 The Chief Executive Officer,
Zilla Parishad Parbhani
Dist. Parbhani
- 3 The Block Development Officer,
Panchayat Samiti Palam,
Tq. Palam, Dist. Parbhani
- 4 The Scheduled Tribe Caste Certificate
Verification Committee, Aurangabad
through Its Dy. Director (R)
Aurangabad

Respondents

Mr.S.M. Vibhute advocate for the petitioner
Mr.A.R.Kale, Assistant Government Pleader for Respondent No.1
Mr. D.P. Dama Advocate for respondent Nos.2 and 3

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

(Date : 18th July, 2016.)

ORAL JUDGMENT**(Per: R.M. Borde, J)**

1 Heard.

2 Rule. With the consent of the parties, petition is taken for final decision at admission stage.

3 The petitioner claims to belong to Koli Mahadev, scheduled tribe (ST). He has been appointed as a contractual Gramsevak by Zilha Parishad, Parbhani, as against a seat earmarked for ST category. The tribe certificate issued to the petitioner has been referred for verification to respondent No.4 committee and the claim is stated to be pending.

4 Respondent No.4 is directed to take decision on the tribe certificate verification proposal of the petitioner pending with the committee, as expeditiously as possible and preferably within a period of 8 weeks from today.

5 According to the petitioner, condition No.6 of the letter of appointment stipulates regularization of employment of the petitioner as a Gramsevak on condition of satisfactory completion of service for three years as a contractual Gramsevak. Respondent Nos.2 and 3 shall consider the claim of the petitioner for

regularization of the employment of the petitioner as Gramsevak, subject to fulfillment of other requirements and the claim of the petitioner for regularization would not be turned down merely on the ground of his failure to submit tribe validation certificate. The respondent shall take decision in respect of regularization of employment of the petitioner within a period of six weeks from today and the petitioner shall be paid monetary benefits accruable to him on regularization of services as Gramsevak. The continuation of employment of the petitioner and the order of regularization shall be subject to result of the tribe certificate verification claim pending with the committee.

6 Rule is made absolute accordingly.

7 No costs.

(K.L.WADANE, J)

(R.M.BORDE, J)