

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

WRIT PETITION NO. 8782 OF 2016

Pratibha Shaligram Inagle
Age: 25 years, Occu.: Service,
R/o Kothakoli, Tq. Bhokardan,
Dist. Jalna.

..PETITIONER

VERSUS

- 1) State of Maharashtra
Through Its Secretary,
Tribal Development Department,
Mantralaya, Mumbai – 32.
- 2) The Scheduled Tribes Certificate
Scrutiny Committee, Division Aurangabad.
Through its Deputy Director/Member.
- 3) The Chief Executive Officer,
Zilla Parishad, Jalna.

..RESPONDENTS

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Mr. D.R. Irale Patil, Advocate for petitioner.
Mr. S.G. Karlekar, A.G.P. for State.
Mr. S.S. Tope, Advocate for Respondent No.3.

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**CORAM : R.M. BORDE AND
K.K. SONAWANE, JJ.
DATED : 18th AUGUST, 2016**

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

. Rule. Rule made returnable forthwith. Heard finally with the
consent of the parties.

2. The petitioner claims to belong to '*Koli Mahadev*' Scheduled Tribe and she is possessed of the Certificate issued by the competent authority certifying accordingly. The petitioner has been appointed as a contractual Gram Sevak as against the vacancy reserved for the Scheduled Tribe category. As per the terms of employment, on completion of the satisfactory service of three years, the petitioner is entitled to be regularised in the cadre of Gram Sevak subject to availability of vacancy. The petitioner contends that her services were terminated on account of certain reasons which are not necessary to be scrutinised while dealing with the instant petition. On consideration of the appeal, presented by petitioner, by order dated 15.03.2016, the appellate authority directed reinstatement of the petitioner as contractual Gram Sevak. The petitioner has been reinstated as a contractual Gram Sevak and is still continued in employment.

3. The petitioner claims that even after completion of the three years tenure, she has not been considered by her employer for regularisation in-spite of availability of vacancy. It is also informed that the Caste Certificate validation proposal is pending with the Scrutiny Committee and no decision has been arrived at.

4. In the facts of this case, this petition can be disposed of by directing the Scrutiny Committee to decide the pending proposal of the petitioner as expeditiously as possible and preferably within a period of six weeks from today and it is accordingly directed. The petitioner undertakes to co-operate the Scrutiny Committee in final disposal of the validation proposal.

5. Respondent No.3 – Zilla Parishad shall examine the claim of the petitioner for regularisation in terms of the conditions mentioned in the order of appointment, and if found otherwise suitable, shall regularise her services in the cadre of Gram Sevak. Zill Parishad is expected to take decision on scrutiny of the service record of the petitioner and subject to availability of vacancy, necessary decision shall be taken as expeditiously as possible and preferably within a period of six weeks from today. In the event of regularisation of the services of the petitioner in the cadre of Gram Sevak, the financial benefits accruable to her shall be disbursed within a period of six months from the date of such order.

6. Rule is made accordingly absolute.

(K.K. SONAWANE, J.)

(R.M. BORDE, J.)

SSD