

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

WRIT PETITION NO. 10876 OF 2016

Naresh Rajeshwar Singarwad

...PETITIONERS

versus

The State of Maharashtra & ors.

...RESPONDENTS

.....
Mrs. Sunil Vibhute , Advocate for petitioner
Mr. S. S. Dande, AGP for all respondents
.....

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

DATED : 25th OCTOBER, 2016.

Order :-

1. Petitioner claims to be belonging to '*Mannervarlu*' scheduled tribe and is in receipt of tribe certificate issued by the competent authority containing certification accordingly. The petitioner has been appointed as 'Clerk' in office of respondent No. 5 as against the seat reserved for scheduled tribe category. Tribe certificate issued in favour of the petitioner was referred to the Scrutiny Committee. The petitioner, under notice dated 20-10-2016 has been directed to submit caste validity certificate within specified period and it has been further informed to the petitioner that in the event of his failure to submit caste validity certificate within stipulated period, proper action would be taken against him.

2. In the facts and circumstances of the case, this petition can be disposed of by issuing directions to respondent No. 2 - Scrutiny

Committee to take decision on the tribe certificate verification proposal of the petitioner pending with it, as expeditiously as possible, preferably within a period of one year from today and it is accordingly directed.

3. In the meanwhile, respondents are directed not to take coercive action against the petitioner on the ground of his failure to submit tribe validity certificate. It would be open for the employer to take appropriate action against the petitioner subject to outcome of the tribe certificate verification claim of the petitioner pending with respondent No. 2-Committee.

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

[K. K. SONAWANE, J.]

[R.M. BORDE, J.]

MTK