

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

**WRIT PETITION NO. 10879 OF 2016**

Jyoti Ashok Mudiraj

...PETITIONERS

versus

The State of Maharashtra & ors.

...RESPONDENTS

.....  
Mr. Sagar Phatale , Advocate for petitioner  
Mr. P. S. Patil, AGP for respondents  
.....

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

**DATED : 25<sup>th</sup> OCTOBER, 2016.**

**Order :-**

1. Petitioner claims to be belonging to '*Koli Mahadeo*' scheduled tribe and is in receipt of tribe certificate issued by the competent authority containing certification accordingly. The petitioner has been appointed as 'Talathi' 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, vide letter dated 03-10-2016 has been directed to submit tribe validity certificate within specified period and it has been further informed to the petitioner that in the event of his failure to submit the same within stipulated period, proper action would be taken against her.

2. In the facts and circumstances of the case, this petition can be disposed of by issuing directions to respondent No. 4 - 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 No. 2 and 3 shall not take coercive action against the petitioner merely on account of her failure to submit caste 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. 4-Committee.

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

**[K. K. SONAWANE, J.]**

**[R.M. BORDE, J.]**

MTK