

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

WRIT PETITION NO.11230 OF 2016

Gajusing Bhavsing Sattavan ..Petitioner

Vs.

The State of Maharashtra
and ors. ..Respondents

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Mr.S.M.Vibhute, Advocate for petitioner

Mr.K.D.Mundhe, AGP for respondents

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**CORAM : R.M. BORDE AND
SANGITRAO S. PATIL, JJ.
DATE : NOVEMBER 16, 2016**

PER COURT :

The petitioner claims to be belonging to 'Thakur' 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 the office of respondent No. 5 as against the seat reserved for the scheduled tribe category. The 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 the caste validity certificate within specified period and it has been further informed to the petitioner that in the event of his failure to submit the 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, the Writ Petition stands disposed of.

[SANGITRAO S. PATIL, J.]

[R.M. BORDE, J.]

kbp