

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.12618 OF 2016

Manoj S/o Baburao Padalwar Petitioner

Versus

The State of Maharashtra and others Respondents

Mr.S.M. Vibhute advocate for the petitioner
Mr.M.M. Nerlikar, AGP for Respondents

CORAM : R.M. BORDE &
SANGITRAO S. PATIL, JJ

(Date : 21st December, 2016.)

PER COURT :-

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 for verification. 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, appropriate

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.

(SANGITRAO S. PATIL, J)

(R.M.BORDE, J)