

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 13251 OF 2016**

Sudin Subhash Bhat	}	Petitioner
versus		
State of Maharashtra	}	
and Ors.	}	Respondents

Mr. R. K. Mendadkar for the petitioner.

Mr. P. G. Sawant - AGP for respondent
nos. 1 and 2.

**CORAM :- S. C. DHARMADHIKARI &
B. P. COLABAWALLA, JJ.
DATED :- NOVEMBER 29, 2016**

P.C. :-

1. The petitioner has been informed by respondent no. 3 that in the event the petitioner is unable to produce the caste validity certificate from the competent scrutiny committee, his services with respondent no. 3 are liable to be terminated. The petitioner states that he was selected for the post of Junior Assistant (Accounts). This was an appointment to a reserved post. The appointment order contemplates that the petitioner must obtain the caste validity certificate from the scrutiny committee. Else, his services would be liable to be terminated. The employer stipulated six months' time for the same.

2. After the appointment of the petitioner, the petitioner has moved the caste scrutiny committee, but the scrutiny and verification is still pending.

3. Mr. Sawant, learned AGP appearing for the State and the scrutiny committee accepts the fact that the scrutiny and verification of the caste certificate is incomplete. He seeks three months' time to complete the same.

4. At the request of the learned AGP, we grant the scrutiny committee three months' time from today to pass the requisite order under the Act of 2001 (Act 23 of 2001).

5. Since there is an apprehension that the petitioner's services would be terminated for failure to obtain the caste validity certificate within the stipulated period, we direct that till the scrutiny committee passes the requisite order, the services of the petitioner should not be terminated. In the event the scrutiny committee's order is adverse to the petitioner, then, for a period of two months from the date of receipt of a copy of the same, the services of the petitioner shall not be terminated. We clarify that we have not expressed any opinion on the merits of the controversy.

6. With the aforesaid directions, the writ petition is disposed of.

(B.P.COLABAWALLA, J.) (S.C.DHARMADHIKARI, J.)