

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

WRIT PETITION NO. 4399 OF 2017

**DEEPALI ASHOK SAPKALE
VERSUS
SCHEDULED TRIBE CERTIFICAT SCRUTINY COMMITTEE
NANDURBAR THROUGH ITS MEMBER SECRE**

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**Advocate for Petitioner : Phatale Sagar S
AGP for Respondents:**

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CORAM : R.M.BORDE AND K.L.WADANE, JJ.

DATED : 3rd May, 2017

O R D E R :

Rule. Rule is made returnable forthwith.
With the consent of learned counsel for the
respective parties the petition is taken up for
final hearing at the admission stage.

2. The petitioner is appointed as a
Supervisor in Zilla Parishad, Jalgaon as against
the seat reserved for the Scheduled Tribe
category. The tribe certificate validation
proposal of the petitioner is pending for
consideration before the Scheduled Tribe Scrutiny
Committee, Nandurbar and no decision as yet has

been arrived at. In the mean while, the employer has directed termination of service of the petitioner by order dated 7.3.2017 on account of her failure to produce validation certificate. It is not within the reach of the petitioner to secure validation certificate within stipulated time frame, and as such, the action of termination taken by the Chief Executive Officer, Zilla Parishad, Jalgaon on 7.3.2017 deserves to be set aside.

3. The order, passed by the Chief Executive Officer, Zilla Parishad, Jalgaon on 7.3.2017 directing termination of services shall stand quashed and set aside and the petitioner shall be reinstated in employment forthwith.

4. Respondent no.1 Committee is directed to take decision on the tribe certificate validation proposal of the petitioner pending with the Committee, as expeditiously as possible, preferably within a period of eight months from

today and it is directed accordingly. The petitioner undertakes to cooperate the Committee in final disposal of the validation claim. The employer shall have liberty to take appropriate steps depending upon the outcome of the tribe certificate validation proposal pending with respondent no.1.

5. Rule is made absolute accordingly. No costs.

(K.L.WADANE, J.)

(R.M.BORDE, J.)

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