

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

905 WRIT PETITION NO. 7597 OF 2017

SUNIL CHANDRAKANT SHINDE
VERSUS
SCHEDULED TRIBE CERTIFICATE SCRUTINY COMMITTEE AURANGABAD
THROUGH ITS MEMBER SECR

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Advocate for Petitioners : Phatale Sagar S
AGP for Respondents: A.R. Kale

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**CORAM : S.C. DHARMADHIKARI &
MANGESH S. PATIL, JJ.**
DATE : 09.06.2017.

PC. :-

1. Having heard both sides, we find that the petitioner cannot be held responsible for not being able to submit the caste validity certificate. The petitioner has no control over the proceedings of the competent scrutiny committee. The caste certificate of petitioner is forwarded for scrutiny and verification of his claim as belonging to reserved and backward class but that committee is yet to decide the claim.

2. In the circumstances, in the larger interest of justice, we direct that the petitioner's services shall not be terminated, only because of non-production of the caste validity certificate, by the second respondent-

corporation. This order of protection shall continue till the scrutiny committee decides the claim. If the decision of the scrutiny committee is adverse to the petitioner, then to enable the petitioner to challenge the same, for a period of two weeks from its communication, no effect shall be given to any order of termination passed on the above ground.

3. We clarify that in our order, we have not expressed any opinion on the merits of the case. Writ petition stands disposed of.

[MANGESH S. PATIL, J.]

[S.C. DHARMADHIKARI, J.]