

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

WRIT PETITION NO. 7823 OF 2017

**SAMARTH NAMDEO KALBONE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Shri Swami Sandeep C.
AGP for Respondents/ State : Shri S.B.Yawalkar.
...

**CORAM: S.C. DHARMADHIKARI
AND
MANGESH S. PATIL, JJ.**

DATE :- 20th June, 2017

PC.:

1 This is another case where the Petitioner's claim is pending for scrutiny. The Petitioner relies upon the certificate known as Caste Certificate stating that he belongs to "Koli Mahadev" Scheduled Tribe. He was appointed as a Clerk in Respondent No.4 Hospital on 29.10.2015. The certificate of validity was sought and the claim in that regard was forwarded together with relevant documents in January, 2016 to the Scrutiny Committee. Whole of 2016 and substantial part of 2017 has gone, but the Scrutiny Committee has not found time to scrutinize and verify the claim of the Petitioner. In the meanwhile, the Petitioner is threatened with termination and by communication dated 29.12.2016.

2 In the aforesaid circumstances, we direct the Scrutiny

Committee to scrutinize and verify the claim of the Petitioner expeditiously. Till the Scrutiny Committee decides the claim and renders it's decision, Respondent No.4 should not terminate the Petitioner's services only on this ground.

3 The Writ Petition is disposed of in these terms.

kps

(MANGESH S. PATIL, J.)

(S.C. DHARMADHIKARI, J.)