

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

WRIT PETITION NO. 6694 OF 2016

Shiddheshwar Sopanrao Ghummanwad .. Petitioner

Versus

Scheduled Tribe Certificate Scrutiny
Committee through its Member
Secretary and others .. Respondents

Shri Sagar S. Phatale, Advocate for the Petitioner.
Ms. Vaishali N. Patil, A.G.P. for Respondent Nos. 1 to 3.
Shri V. P. Golegaonkar, Advocate h/f Shri A. R. Joshi, Advocate
for the Respondent No. 4.

**CORAM : S. V. GANGAPURWALA AND
K. L. WADANE, JJ.**

DATE : 09TH FEBRUARY, 2017.

PER COURT :

. Mr. Phatale, the learned counsel for the petitioner submits that, the petitioner was appointed as Shikshan Sevak on or about 25.02.2013. He has successfully completed three years. The petitioner was appointed from reserved category. The tribe claim of the petitioner is referred to the Committee in the year 2013. The same is still pending. The proposal is submitted by the management seeking approval to the appointment of the petitioner as Assistant Teacher. The same is not considered.

2. We have heard the learned Assistant Government Pleader also.

3. Considering the fact that, validation proceedings are pending, we pass following order.

4. The respondent No. 1/Committee shall decide the tribe claim of the petitioner expeditiously and preferably within a period of eight (08) months from today. The respondent Nos. 2 and 3 shall not reject the proposal of the petitioner as Assistant Teacher only on the ground that, validation proceedings are pending. The approval can be granted subject to decision of the Committee in the validation proceedings. The respondent Nos. 2 and 3 shall consider said proposal expeditiously and preferably within a period of three (03) months from today. Till that time, the respondents shall not withhold salary of the petitioner only on the ground that, validation proceedings are pending. The writ petition is disposed of.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]