

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

WRIT PETITION NO. 10872 OF 2017

Pooja Shivaji Sarje

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Pratap V. Jadhavar, Advocate for the Petitioner.

Shri S. W. Mundhe, A.G.P. for the Respondent Nos. 1 to 3.

**CORAM : S. V. GANGAPURWALA AND
SMT. VIBHA KANKANWADI, JJ.
DATE : 03RD NOVEMBER, 2017.**

FINAL ORDER :

. Mr. Jadhavar, the learned counsel for the petitioner submits that, the petitioner is selected for the post of Civil Junior Engineer from the Scheduled Tribe category in the month of January 2017, but is not given appointment order only on the ground that validity certificate is not submitted. According to the learned counsel since the year 2011 the proceeding for verification of the tribe claim of the petitioner is pending with the Committee. The learned counsel relies on the Government Resolution dated 25.01.2017.

2. The learned Assistant Government Pleader on instructions

of the Committee states that, the Committee would decide the validation proceeding within a period of six months from today.

3. The Government Resolution dated 25.01.2017 issued by the Water Resource Department, Government of Maharashtra, Mantralaya, Mumbai states that, in case the candidate is selected from reserved category, then he can be given appointment on condition that he should produce the validity within a period of six months. The Committee since six year has not yet decided the validation proceeding.

4. Considering the above, we pass following order.

5. In case the petitioner is otherwise eligible to be given appointment and there is no other impediment, then the respondents shall give provisional appointment to the petitioner on the post to which the petitioner is selected in the selection process within a period of fifteen (15) days from today. The petitioner shall give an undertaking to the respondent/employer that, in case her claim is invalidated, she will not claim any equity. The respondents can take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceedings. The Committee shall decide the validation proceedings of the petitioner within a period of six (06) months from today. The petitioner shall co-operate in expeditious disposal of validation proceedings. The

petitioner shall appear before the Committee on 21st November, 2017. The writ petition is disposed of. No costs.

[SMT. VIBHA KANKANWADI,J.] [S. V. GANGAPURWALA, J.]

bsb/Nov. 17