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

WRIT PETITION NO. 8905 OF 2017

**DNYANESHWAR GOPAL AINWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

**...
Advocate for Petitioner : Vibhute Sunil M.
AGP for Respondents: Mr.S.G.Karlekar**

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

DATE : 14/07/2017

PER COURT :-

1] The petitioner is working on the strength of tribe certificate issued to him way back on 12/4/1991. The third respondent initially appointed him as a Peon against a reserved post on 4/1/1993. The appointment is with the 4th respondent School. The petitioner has been promoted as a Laboratory Attendant on 1/7/1996. But again brought back as Peon because that post lapsed. The tribe claim is still not verified by the scrutiny committee though forwarded to it some time in 2013. In the meanwhile, respondents 3 and 4 threatened that the petitioner's services would be terminated on failure to furnish this validity certificate.

2] On perusal of the Writ Petition and the annexures thereto, we are of the opinion that the petitioner cannot be blamed for the lapses on the part of the employer and thereafter the scrutiny committee.

3] Hence the following order :

The scrutiny committee is directed to dispose of the proceeding pending before it as expeditiously as possible. Till the scrutiny committee decides the matter and passes final order, the services of the petitioner shall not be terminated, if not already terminated. The Writ Petition is disposed of.

(MANGESH S. PATIL,J.)

(S.C.DHARMADHIKARI,J.)

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