

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

WRIT PETITION NO. 11212 OF 2016

Ashwini Ashok Salunke .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Vinod P. Patil, Advocate for the Petitioner.

Mrs. M. A. Deshpande, Addl.G.P. for Respondent Nos. 1 and 2.

The Respondent Nos. 3 to 5 are served.

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

DATE : 27TH JANUARY, 2017.

PER COURT :

. The respondent Nos. 3 to 5 though served, none appears for said respondents.

2. Mr. Patil, the learned counsel for the petitioner submits that, the petitioner was appointed as a Shikshan Sevak with the Zilla Parishad School at Tardi on 03rd April, 2012. The petitioner has successfully completed three years as Shikshan Sevak. On completion of her tenure as Shikshan Sevak, the petitioner is required to be confirmed as an Assistant Teacher. The petitioner is in service and she is not been given benefits of Assistant Teacher only on the ground that the validation proceedings in respect of the tribe claim of the petitioner is pending. The same is pending since 2010.

3. We have heard the learned Additional Government Pleader also.

4. The respondent No. 2/Committee shall decide the validation proceedings in respect of the caste claim of the petitioner, if, not already decided expeditiously and preferably within a period of eight (08) months from today. The petitioner shall co-operate in expeditious disposal of the proceedings. The respondent Nos. 3 and 4 shall not withhold the benefits available to the petitioner on her appointment as Shikshan Sevak and completion of her tenure as Shikshan Sevak and subsequently treating her as Assistant Teacher only on the ground that validation proceedings are pending. In case the respondent Nos. 3 and 4 find petitioner to be eligible to be treated as a Assistant Teacher on completion of her period of Shikshan Sevak, then the benefits of the same shall be given expeditiously and preferably within a period of four (4) months from today. The petitioner shall appear before the respondent No. 2 on 20.02.2017. The benefits that would be granted would be subject to the decision of the Committee in the validation proceedings. The writ petition accordingly is disposed of. No costs.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]