

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

Writ Petition No. 14447 of 2017

District : Jalna

Amol s/o. Vishwanath Padale,
Age : 23 years,
Occupation : Service,
R/o. Kolwadi,
Taluka Bhokardan,
District Jalna.

.. Petitioner.

versus

1. The State of Maharashtra,
Through Secretary to
Tribal Development Department,
Mantralaya, Mumbai.
 2. The Scheduled Tribe Certificate
Verification Committee,
Aurangabad,
Through its Deputy Director [R],
Aurangabad.
 3. The Joint Director of Technical
Education,
Aurangabad Division,
Aurangabad, Dist. Aurangabad.
 4. The Principal,
Government Polytechnic, Ambad,
Mhada Colony,
Pachod Road, Ambad,
Taluka Ambad, Dist. Jalna.
- .. Respondents.

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Mr. Sunil M. Vibhute, Advocate, for the petitioner.

*Mr. A.R. Kale, Asst. Government Pleader, for
respondent nos.01 to 04.*

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**CORAM : R.M. BORDE &
SMT. VIBHA KANKANWADI, JJ.**

DATE : 15TH DECEMBER 2017

ORAL ORDER (Per R.M. Borde, J.) :

01. The petitioner claims to be belonging to 'Koli Malhar', Scheduled Tribe, and has been employed as Clerk in respondent no.04 - Government Polytechnic College, Ambad, District Jalna, as against a post reserved for Scheduled Tribe category. As a pre-condition recorded in the order of appointment, the petitioner is required to tender caste (tribe) validation certificate within six months from the date of order of appointment. The petitioner has already tendered proposal, through the employer, for verification of the caste (tribe) certificate and the proposal is stated to be pending with respondent no.02 - Committee.

02. As a result of failure of the petitioner to produce the caste (tribe) validation certificate within the prescribed period, the employer has extended the time for complying with the directions contained in the order of appointment only up to 31st December 2017 and thereafter, petitioner's services may be terminated.

03. In the circumstances of this case, this petition can be disposed of, with direction to respondent no.02 - Committee, to take decision on the

proposal in respect of verification of caste (tribe) claim of the petitioner, as expeditiously as possible, preferably within a period of eight months from the date of this order and it is accordingly directed. In the meanwhile, respondent nos.03 and 04 shall not take any adverse action against the petitioner on account of non-submission of caste (tribe) validation certificate by the petitioner.

04. With the directions, as above, the writ petition is disposed of.

(Smt. Vibha Kankanwadi)
JUDGE

(R.M. Borde)
JUDGE

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