

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

WRIT PETITION NO.5260 OF 2018

Rahul s/o Bhimrao Yelave,
Age 25 years, Occu. Service as
Junior Engineer, R/o Walkheda,
Taluka Sindkheda, Dist. Dhule

.. Petitioner

Versus

1. The State of Maharashtra,
Department of Tribal Development,
Mantralaya, Mumbai 32
Through its Secretary
2. The Scheduled Tribe Certificate
Scrutiny Committee,
Nandurbar Division, Nandurbar,
Through its Member Secretary
3. The Superintending Engineer,
Amravati Irrigation Circle,
Behind Sinchan Seva Bhawan,
Shivajinagar, Amravati
4. The Executive Engineer,
Amravati Project Construction
Division No.1, Jai Sampada Parisar,
Jail road, Amravati

.. Respondents

Mr S.C. Yeramwar, Advocate for petitioner

Mr A.B. Girase, Government Pleader for respondents

**CORAM : R.M. BORDE AND
A.M. DHAVALÉ, JJ.**

DATE : 6th June 2018

ORAL JUDGMENT (Per R.M. Borde, J.)

1. Heard.
2. Rule. With the consent of the parties, petition is taken up for final disposal at admission stage.
3. The petitioner claims to belong to 'Koli Dhor' – Scheduled Tribe. The petitioner is in receipt of tribe certificate issued by the competent authority, which has been referred to the respondent no.2 –

Committee. The proposal in respect of verification of the tribe certificate is stated to be pending. The petitioner is employed as Junior Engineer in the office of respondent no.3. However, as a result of failure of the petitioner to submit validity certificate within the stipulated period, adverse action is contemplated and notice in that regard is issued on 17th May 2018 by the employer to the petitioner.

4. In the facts and circumstances of the case, petition can be disposed by issuing directions to respondent no.2 - Committee to take decision on the proposal in respect of tribe certificate verification pending with the Committee, as expeditiously as possible, preferably within eight months from today and it is accordingly directed.

5. In the meanwhile, respondents no.3 and 4 are directed not to take any adverse action against the petitioner on the count of non-submission of tribe validity certificate.

6. Rule is made absolute in above terms. There shall be no order as to costs.

(A.M. DHAVAL, J.)

(R.M. BORDE, J.)

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