

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

WRIT PETITION NO. 9998 OF 2014

**SHANKAR DAULAT ISHI
VERSUS
SUPERINTENDING ENGINEER SMALL SCALE
(WATER RESOURCE), NASHIK AND OTHERS**

Mr. D.B.Shinde, Advocate h/f. Mr. S.S.Phatale, Advocate
for petitioner

Mr.V.S. Badakh, AGP for respondent nos.1 to 3

Mr.G.A.Gadhe, Advocate for respondent no.4

Mr.V.D.Gunale, Advocate for respondent nos.5 and 6

**CORAM : S.V. GANGAPURWALA AND
R.G. AVACHAT, JJ.
DATE : OCTOBER 30, 2018**

PER COURT

Learned Counsel for the petitioner submits that the claim of the petitioner is referred to the Scrutiny Committee in the year 2013. The same is pending. He submits that the petitioner is not considered for promotional post as Senior Clerk only on

the ground that the validity certificate is not submitted by him. He submits that the respondent may promote the petitioner to the said post, subject to validity certificate.

2. Heard the learned AGP for the respondent. He submits that in the caste-claim of the petitioner pending before the Scrutiny Committee, vigilance has been conducted.

3. In the light of the above, we pass the following order :-

(i) Respondent no.4 – Committee shall decide the validation proceedings in respect of the caste claim of the petitioner expeditiously and preferably, within three months from the date of appearance of the petitioner.

(ii) The petitioner shall appear before the Committee on 19.11.2018.

(iii) Depending upon the decision of the Committee, the respondents concerned shall consider the case of the petitioner for promotion, on its own merits.

(iv) Writ Petition is accordingly disposed of.
No costs.

[R.G. AVACHAT, J.]

[S.V. GANGAPURWALA, J.]

kbp