

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5176 of 2014**

Sunil Sukhadev NanavarePetitioner
versus
The State of Maharashtra and ors.Respondents

Mr. R. K. Mendadkar, advocate for the petitioner.
Mr. S. B. Kalel, AGP for the State.
Mr. Vijay Killedar, advocate for the respondent Nos. 2 and 3.

**CORAM : RANJIT MORE &
SMT.ANUJA PRABHUDESSAI, JJ.**

DATE : 2nd APRIL, 2018.

P. C. :

Heard learned counsel and learned AGP appearing for the
respective parties.

2. By this petition, the petitioner seeks direction to respondent No.2 to protect his services. The petitioner, on the basis of his caste, claims that he belongs to Koli Mahadev Scheduled Tribe. The respondent No.2- Zilla Parishad Solapur appointed the petitioner as Assistant Teacher in the year-2000. In due course, the petitioner's caste claim was scrutinized by the Caste Scrutiny Committee and the petitioner's claim was invalidated by a speaking order dated 30th April, 2004. Consequently, by an order dated 13th September, 2004, the services of the petitioner came to be terminated by respondent No.3.

The order of the Caste Scrutiny committee dated 30th April, 2004 has attained finality in view of the fact that the petitioner's challenge to the said order has been rejected by the High Court as well as the Supreme Court. The present petition is filed in the year – 2014 after an inordinate delay of 10 years. There is no explanation for the inordinate delay. On this ground alone, we are not inclined to entertain this petition. That apart, now it is a settled position in law that on the basis of invalidated certificate, the petitioner cannot claim protection in services. The writ petition is devoid on any merits and the same is dismissed as such.

[SMT.ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]