

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

WRIT PETITION NO.2602 OF 2019

**BHASKAR SOPAN BEDARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr.P.V. Jadhavar, Advocate for the petitioner.
Ms.R.P. Gaur, AGP for respondent/State.

**CORAM : PRASANNA B.VARALE &
S.M.GAVHANE, JJ.**

DATED : 22.02.2019

P.C. :-

1. Heard learned Counsel for the petitioner. The petitioner raised challenge to notice dated 14.02.2019, whereby respondent No.3-Headmaster was directed to inform the petitioner that failure to submit validity certificate would result in termination of services. On 15.02.2019, respondent No.3 - Headmaster issued notice to the petitioner. Learned Counsel for the petitioner submitted that the petitioner was appointed subject to verification of the claim and the claim was forwarded to the Scrutiny Committee and the Committee accepted the claim on 29.07.2011. A copy of proforma application with endorsement is placed on record at page 12 of the petition. Learned Counsel then submits that the

petitioner is hopeful of validation of claim in view of sufficient material placed before the Committee in support of the claim of the petitioner including the validity certificate issued in favour of nearest realities of the petitioner. Learned Counsel then submitted that in spite of repeated requests to the Committee, the Committee failed to decide the claim and the same is pending before the Committee.

2. Considering the grievance raised in the petition, we issue notice to respondent Nos.1 and 2. Learned AGP waives notice for respondent Nos. 1 and 2 and on instructions makes statement before us that the Committee would decide the claim of the petitioner within three months. The statement made by the learned AGP on instructions of the Committee is accepted as an undertaking given to this Court by the Committee.

3. Accordingly, we dispose of the petition at the admission stage with directions to the Committee to decide the claim within three months from today and further direct respondent No.3 not to take any coercive action against the petitioner till the decision of the Committee. We further make it clear that on decision of the Committee, within stipulated period as stated above, respondent No.3 is at liberty to take appropriate steps.

4. With these observations/directions, the writ petition is disposed of.

[S.M.GAVHANE, J.]

[PRASANNA B.VARALE, J.]