

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 3605 OF 2019

Jitendra s/o Jagannath Thakur

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. S.C. Yeramwar, advocate for petitioner.

Mrs. P.V. Diggikar, AGP for respondents no. 1 and 2.

CORAM : PRASANNA B. VARALE AND

NITIN W. SAMBRE, JJ.

DATE : 20th March, 2019.

P.C. :

Heard.

2. Considering the grievance raised in the petition and the prayer consequently made in the petition, we deem it appropriate to dispose of the petition at admission stage.

3. As we deem it appropriate to issue directions to the Committee and protect service of the petitioner, notice is only issued to respondents no. 1 and 2. Learned AGP waives service of notice on behalf of respondents no. 1 and 2.

4. Petitioner has placed on record document to submit that the petitioner belongs to 'Thakur' category. In response to the advertisement published by respondent no. 3, MSRTC, petitioner submitted his claim for the post of Driver-cum-Conductor (Jr.) and

the petitioner was appointed on 13.04.2018. Claim of the petitioner was forwarded to the Scrutiny Committee on 24.08.2018. The claim is accepted by Scrutiny Committee on 19.09.2018 and the same is pending for decision. Reminder was forwarded to the Committee on 15.02.2019. Learned counsel for petitioner submits that in view of this reminder, the petitioner apprehends that failure to submit validity certificate may lead the petitioner from depriving of his service. As such, learned counsel prays for protection of his service till the decision by the Scrutiny Committee.

5. In view of above facts, petition is disposed of with directions to respondent no. 2 – Scrutiny Committee to decide the claim of petitioner for validation within six months from the date of receipt of order of this Court. Respondent no. 3 – Corporation is directed not to take any coercive action against the petitioner till decision of the Scrutiny Committee. We further make it clear that on decision of the Scrutiny Committee, respondent no. 3 – Corporation is at liberty to take appropriate steps.

6. With these directions, petition stands disposed of.

NITIN W. SAMBRE
JUDGE

PRASANNA B. VARALE
JUDGE