

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

WRIT PETITION NO.4866 OF 2014

PRAKASH NARAYAN PAWAR
VERSUS
SCHEDULED TRIBE CERTIFICATE SCRUTINY COMMITTEE,
NANDURBAR AND ANOTHER

Mr. M.S.Deshmukh, Advocate for petitioner
Mr. K.D.Bade-Patil, Advocate for respondent no.1
Mr. A.I.Deshmukh, Advocate for respondent no.2

**CORAM : SUNIL P. DESHMUKH
AND**

R.G. AVACHAT, JJ.

DATE : MARCH 26, 2019

PER COURT

Petitioner is aggrieved by the communication dated 28.05.2014, whereunder benefit of Assured Career Progress Scheme had been purportedly sought to be intercepted by respondent no.2 pursuant to the meeting dated 21.05.2014.

2. Learned Counsel for petitioner submits that petitioner's promotion had been declined for want of validity certificate of his tribe. He further submits that his tribe claim is pending for a long time with respondent no.1. Learned Counsel refers to the order dated 18.06.2014 of this Court, under which interim relief has been granted

to petitioner. He further further submits that accordingly, petitioner has been receiving benefit of Assured Career Progress Scheme.

3. In the circumstances, it appears to be expedient to direct to respondent no.1 to proceed with the pending verification of tribe claim of petitioner, as early as possible.

4. As such, respondent no.1 to decide the tribe claim of petitioner as early as possible and preferably, within a period of six months from the date of receipt of writ of this order. In the meanwhile, the benefit being received by the petitioner under the afore-mentioned scheme, may not be intercepted only on the ground of communication dated 28.05.2014, subject to filing with the employer an undertaking indemnifying it, within a period six weeks. Needless to mention that the petitioner is expected to co-operate with the Committee.

5. In view of aforesaid, the Writ Petition stands disposed of.

[R.G. AVACHAT, J.]
kbp

[SUNIL P. DESHMUKH, J.]