

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 242 OF 2019

Santoshi Sudam Choraghe .. Petitioner
Versus
The State of Maharashtra thru
Secretary Tribal Development Dept
and ors .. Respondents

...

Mr. C.K. Bhangoji for the petitioner.
Mrs.M.P. Thakur AGP for the State.
Mr.R.P. Sakhadeo for respondent no.3.

**CORAM: SHRI RANJIT MORE &
SMT. BHARATI H.DANGRE, JJ.**

DATED : 7th JUNE 2019

P.C:-

1 By an order dated 14th January 2019, this Court had granted an ad-interim relief of a mandatory nature restraining the respondents from terminating his services of the petitioner only on the ground that she has failed to produce the Caste Validity Certificate. The relief granted continues to be in force.

2 However, learned counsel for the employer submits that appropriate direction should be issued to the Committee to decide the claim of the petitioner within the stipulated period.

2 In such circumstances, we deem it expedient to direct the respondent no.2 – Scheduled Tribe Certificate Scrutiny Committee at Pune to decide the claim of the petitioner preferred on 21st July 2017 belonging to Koli Mahadev Scheduled Tribe within a period of six months.

3 Since the termination was based on the premise that the petitioner has failed to produce the caste validity certificate and Division Bench has already asserted that this could not be a ground for termination, we also quash and set aside the impugned termination order dated 27th December 2018.

4 The Writ Petition is disposed of with direction to the Respondent no.2 Committee to adjudicate the claim of the petitioner within period of six month. and if the decision of the Committee is adverse to the petitioner, we grant protection of services of the petitioner for a period of four weeks.

(SMT. BHARATI H. DANGRE, J.)

(RANJIT MORE, J.)