

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**WRIT PETITION NO.4966 of 2019**

|                               |                  |
|-------------------------------|------------------|
| Digambar Onkar Thakur         | .....Petitioner  |
| versus                        |                  |
| State of Maharashtra and ors. | .....Respondents |

with  
**WRIT PETITION NO.4969 of 2019**

|                               |                  |
|-------------------------------|------------------|
| Nagraj Onkar Thakur           | .....Petitioner  |
| versus                        |                  |
| State of Maharashtra and ors. | .....Respondents |

with  
**WRIT PETITION NO.4970 of 2019**

|                               |                  |
|-------------------------------|------------------|
| Kailas Onkar Thakur           | .....Petitioner  |
| versus                        |                  |
| State of Maharashtra and ors. | .....Respondents |

Mr. Chintamani K. Bhangoji I/b. Mr. R. K. Mendadkar, advocate for the petitioner.  
Smt. M. S. Srivastava, APP for the State.

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

**DATE : 16<sup>th</sup> APRIL, 2019.**

**P. C. :**

A common grievance raised in the above petitions is that the petitioners' claim for caste validity certificate is pending before respondent No.2- Scheduled Tribe Caste Certificate Scrutiny Committee, Nandurbar, since last more than 5 years. However, the same is not yet decided.

2. Meanwhile, the petitioners have received notice from respondent No.3 to show case as to why their promotion to the post of "Police Naik" should not be cancelled. This notice is given on the ground that the petitioners have not submitted their caste/tribe validity certificate within the stipulated time.

3. In our opinion, the petitioners cannot be punished for failure on the part of respondent No.2 to decide their caste/tribe claim. The petitioners have no control over the working of respondent No.2. In the above facts and circumstances, we dispose of these petitions by passing the following order :

1. Respondent No.2 is directed to decide the petitioners' caste/tribe claim as expeditiously as possible, and in any case, within a period of six months from the date of receipt of this order.

2. Respondent No.3 shall not take any coercive action against the petitioners in pursuance of the show cause notices dated 15<sup>th</sup> February 2019/4<sup>th</sup> January 2019, till the respondent No.2 decides the petitioners' caste/tribe claim.

The writ petitions stand disposed of.

**[SMT. BHARATI H. DANGRE, J.]**

**[RANJIT MORE, J.]**