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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION JURISDICTION**

WRIT PETITION NO.13132 OF 2017

Avinash Gokul Thakur)
Aged 38 years residing at)
Sai Prasad Apartment, Bapgaon)
Jai Malkar Nagar, B-Wing, Room No.12,)
Tal: Bhiwandi, Dist. Thane 421302) Petitioner.

V/s

1] State of Maharashtra)
through its Secretary, Tribal)
Development Deptt, Mantralaya)
Mumbai - 400 032)
)
2) Scheduled Tribe Caste Certificate)
Scrutiny Committee, Nandurbar)
through its Deputy Director and Member)
Secretary having its office at Adivasi)
Vikas Bhavan, Nandurbar,)
District Nandurbar.)
)
3) Municipal Corporation of Greater)
Mumbai through its Executive)
Engineer (Transport), having its)
Office at 2nd floor, 249, Senapati Bapat)
Marg, Dadar (W), Mumbai-28)Repondents.

Mr. Tanaji Jadhav h/f Mr. R.K. Mendadkar, Advocate for the
Petitioner.

Mr. R. A. Salunkhe, AGP for Respondent Nos. 1 and 2.

Ms. Sheetal Mane, Advocate for Respondent No.3 – MCGM.

**CORAM: B. R. GAVAI &
N. J. JAMADAR, JJ.**

DATE: 8th January, 2019

ORAL JUDGMENT: (Per B.R. Gavai, J.)

1] Rule. Rule is made returnable forthwith. Respondents waive service. Heard by consent of parties.

2] Petitioner has approached this Court since the Petitioner's claim for validation is pending before Respondent No.2 and since the Petitioner was apprehending termination of his service on the ground of non-submission of validity certificate. Vide the last order passed by this Court on 28/11/2017, the learned AGP was directed to take instruction from the Committee, as to within how much time the claim of the Petitioner would be decided.

3] The learned AGP has placed on record communication made by Respondent No.2, informing him that claim of the Petitioner would be decided within two weeks from today.

4] Petition is therefore disposed of, taking on record the said statement. Interim protection granted by this Court earlier, is directed to be continued till Respondent No.2 - Committee decides

the claim of the Petitioner and, in the event, the order passed by the Respondent No.2 – Committee, is adverse to the interest of the Petitioner, for further period of three weeks.

5] Rule is made absolute in the aforesaid terms. However, there shall be no order as to costs.

(N.J. JAMADAR, J.)

(B. R. GAVAI, J.)