

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

23. WRIT PETITION No. 8424 of 2019

Gangadhar S/o Abaji Putewad

...Petitioner

VERSUS

The State of Maharashtra and others

...Respondents

Mr. P.B. Rakhunde, Advocate for petitioner

Mr. A.G. Karlekar, Asstt.Govt.Pleader for respondents No.1 & 6

CORAM : S.V. GANGAPURWALA &

SHRIKANT D. KULKARNI, JJ.

DATE : 26th February, 2020

ORDER :

1. Respondents N. 2 to 5 were served with the notice. None appears for respondents No.2 to 5. This Court subsequently issued notice of final disposal to respondents No.2 to 5. Notice of final disposal is also served upon respondents No.2 to 5. In-spite of service of notice of final disposal, none appears for respondents No.2 to 5.

2. Grievance of the petitioner is that the petitioner is appointed as '*Shikshan Sevak*' in the year 2014. On completion of three years' service as '*Shikshan Sevak*', the petitioner is required to be continued as an Assistant Teacher in the prescribed pay scale. Salary is not paid to the petitioner as per the prescribed pay scale only on the ground that the caste certificate validation proceeding is still pending. The validation proceeding is pending since the year

2014.

3. Considering the above, we pass the the following order:

- I. The Scrutiny Committee (respondent No.6) shall decide the validation proceedings in respect of caste claim of the petitioner, expeditiously, preferably, within a period of six months from the date of the petitioner appears before it.
- II. The petitioner shall appear before the Committee on 18th March 2020.
- III. In case, the petitioner is in service, then respondents No.2 to 5 shall not refuse to pay salary to the petitioner for the post of Assistant Teacher only on the ground that the caste certificate validation proceeding is pending. Said process shall be done within a period of six weeks.
- III. Respondents No.2 to 5 shall take further decision depending upon the judgment that would be delivered by the respondent No.6-Scrutiny Committee.

4. The writ petition is accordingly disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

Madkar