

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4416 OF 2016

Pratap Namdev Shirsat. ... Petitioner.
V/s.
The Commissioner, Greater Bombay
Municipal Corporation and others. ... Respondents.

Mr.Yogesh Dabke for the Petitioner.
Mr.Santosh Parad for Respondent Nos.1 and 2.
Ms.Rupali Shinde, AGP for Respondent No.3.

CORAM : NITIN JAMDAR AND
M.S. KARNIK, JJ.

DATE : 24 January 2020.

P.C. :

By this petition, the Petitioner has challenged the order dated 26 May 2015 terminating him from the services of the Respondent- Corporation. The Petitioner was appointed in the service of the Respondent- Corporation in the Scheduled Tribe category. The Petitioner was put to notice on 3 June 2005, 5 February 2009 and 28 April 2009 that he must get the validity certificate, otherwise proceedings will be initiated against him on the ground of occupying the post meant for Schedule Tribe candidate.

The contention of the Petitioner is that he submitted the documents to the Scrutiny Committee, however, matter did not proceed. This submission cannot be accepted. The Petitioner was put to notice for a decade that he has to get a validity certificate. The Petitioner also did not file any writ petition in this Court seeking protection of his service till the proceedings before the Scrutiny Committee are not completed as several petitioners do file such petitions. Ultimately, the Respondent- Corporation, in view of the fact that the Petitioner failed to produce caste validity certificate, proceeded to remove him from service. There is nothing wrong in this action.

2. In these circumstances, no interference is warranted in writ jurisdiction. Writ Petition is accordingly rejected.

(M.S. KARNIK, J.)

(NITIN JAMDAR, J.)