

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

159 WRIT PETITION NO.11330 OF 2021

MAHANANDA SHANKAR SHAMANTE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Mr.G.K. Chinchole h/f Mr.S.M. Vibhute, Advocate
for the petitioner
Mr. P.K. Lakhotiya, AGP for the respondent/State.

...

CORAM : S.V. GANGAPURWALA
AND

S.G. DIGE, JJ.

DATE : 20th DECEMBER, 2021

PER COURT :-

1. The validation proceeding in respect of the caste claim of the petitioner is pending. The petitioner is appointed as Shikshan Sevak. According to the petitioner, he has completed three years service as Shikshan Sevak. The petitioner is not being given treatment as Assistant Teacher only on the ground that the validity certificate is not submitted.

2. The learned A.G.P. appears for respondent nos.1 and 2.

3. To get the proceedings decided within stipulated period is not in the hands of the litigants.

4. In the light of that we pass the

following order :-

ORDER

(i) The petitioner shall appear before the respondent no.2 Committee on 11th January, 2022.

(ii) The Committee shall thereafter endeavour to decide the said proceedings preferably within six months.

(iii) The petitioner shall co-operate in the expeditious disposal of the proceedings.

(iv) In case, the petitioner is otherwise eligible then the respondent no.5 may consider the case of the petitioner and may not refuse the case of the petitioner as Assistant Teacher only on the ground that the verification of the caste claim is pending.

(v) Respondent no.5 may consider the case of the petitioner for provisionally treating her as Assistant Teacher and payment of salary as Assistant teacher. The same shall be subject to the further decision that would be taken by the Committee in the invalidation proceedings of the petitioner.

(vi) The respondents shall take further course of action on the basis of the judgment that would be delivered by the Committee.

5. The Writ Petition is disposed of. No costs.

(S.G.DIGE, J.)

(S.V. GANGAPURWALA, J.)

SGA