

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

**WRIT PETITION NO. 13231 OF 2021**

GANESH BHIMRAO KALE  
VERSUS  
THE STATE OF MAHARASHTRA AND ANOTHER

...  
Advocate for Petitioner : Mr. Sachin D. Khatri  
Addl. GP for Respondent – State : Mr. P. S. Patil

...  
**CORAM : S. V. GANGAPURWALA AND  
R. N. LADDHA, JJ.**

**DATE : 01<sup>st</sup> DECEMBER, 2021**

**PER COURT :-**

The petitioner was appointed from ST category. Tribe claim of the petitioner was rejected. The invalidation of the tribe claim by the Scrutiny Committee was assailed by the petitioner before this Court's Bench at Nagpur seeking protection in services. The said petition was partly allowed. The Judgment of this Court granting protection to the services of the petitioner has attained finality.

2. This Court in *Writ Petition No. 903 of 2020 (Raja Tukaram Shinde Versus the State of Maharashtra and another)* with connected matters *decided on 04-05-2021* has considered the aforesaid aspect and held that once protection is granted by this Court, the same would continue.

3. In the light of the above, we pass the following order.

The impugned communication/order dated 06-04-2021 passed by respondent no. 2, placing the petitioner on supernumerary post is quashed and set aside.

4. Writ Petition accordingly is disposed of. No costs.

( R. N. LADDHA )  
JUDGE

( S.V. GANGAPURWALA )  
JUDGE

mtk