

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

WRIT PETITION NO. 2647/2020

Rohit s/o. Dilip Toraskar Petitioner

Vs.

State of Maharashtra & Ors. Respondents

WRIT PETITION NO. 2648/2020

Kapil s/o. Dilip Toraskar Petitioner

Vs.

State of Maharashtra & Ors. Respondents

WRIT PETITION (ST) NO. 4441/2020

Ravindra s/o. Kashinath Kadam Petitioner

Vs.

State of Maharashtra & Ors. Respondents

WRIT PETITION (ST) NO. 4384/2020

Rajendra s/o. Kashinath Kadam Petitioner

Vs.

State of Maharashtra & Ors. Respondents

WRIT PETITION (ST) NO. 4446/2020

Nandkumar s/o. Dashrath Chavan Petitioner

Vs.

State of Maharashtra & Ors. Respondents

Mr. Sushant C. Yeramwar for the Petitioners

Mr. S. S. Bhende, AGP for the State in 2647/2020 and 4384/2020

Mr. A. P. Vanarase, AGP for the State in 2648/2020

Mr. V. S. Gokhale, "B" Panel Counsel for the State in 4441/2020

Mr. K. S. Thorat, AGP for the State in 4446/2020

**CORAM: K.K.TATED &
RIYAZ I. CHAGLA, JJ.**

DATED : MARCH 31, 2021

P.C.

1 Heard.

Rule.

Rule is made returnable forthwith.

2 The learned counsel for the Petitioners submits that by these Writ Petitions, the Petitioners are challenging the order passed by the appointing authority putting the Petitioners' services on temporary basis for 11 months on supernumerary posts for non submission of caste validity certificate.

3 The learned counsel for the Petitioners submits that the Petitioners also seek direction against Respondent No.2 - Committee to decide the Petitioners' claim Application for caste validity certificate, as early as possible.

4 The learned counsel for the Petitioners submits that during pendency of the Writ Petitions, the appointing

authority vide order dated 26.05.2020 withdrew the orders passed by them putting the Petitioners' services on temporary basis for a period of 11 months on supernumerary post for non submission of caste validity certificate. He submits that in view of the subsequent development, the prayer for setting aside the order passed by the appointing authority does not survive. He has placed on record the orders passed by the appointing authority withdrawing the earlier order. The copies of those orders are taken on record and marked "X", collectively, for identification.

5 The learned counsel for the Petitioners submits that considering the facts and circumstances of the case, this Hon'ble Court be pleased to direct the Scheduled Tribe Certificate Scrutiny Committee to decide the Petitioners' Application as early as possible.

6 The learned AGP for the Respondent State submits that they will take at least 16 weeks to decide those Applications.

7 Considering the submissions made by the learned counsel for the Petitioners and the statement made by the learned AGP for the State, the following order is passed:

- a. The Scheduled Tribe Certificate Scrutiny Committee is directed to decide the Petitioners' Application for caste validity certificate as early as possible, but in any case, on or before 31.07.2021, after hearing both sides, on merits.

- b. Parties to act on authenticated copy of this order.
- c. All the Writ Petitions stand disposed of with these directions.
- d. No order as to costs.

(RIYAZ I. CHAGLA, J.)

(K.K.TATED, J.)