

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.3297 OF 2020

Ku. Nalu d/o Shesharo Pete
After marriage Mrs. Nalu Santosh Patkar
Aged about 51 years, Occ. Service,
Assistant Teacher, R/o. Shree Gajanan Krupa,
Raut Wadi, Kridasankulan Road,
Buldhana

.... PETITIONER

VERSUS

1. State of Maharashtra,
through its Secretary,
General Administration Department,
Mantralaya, Mumbai - 32
2. The Schedule Tribe Caste Certificate Scrutiny
Committee, Amravati Division, Amravati
through its Vice Chairman/Member
Secretary, Amravati Division
Amravati
3. The Chief Executive Officer,
Zilla Parishad, Buldhana
4. Block Education Officer,
Panchayat Samiti, Buldhana,
Zilla Parishad, Buldhana,
District Buldhana
5. The Education Officer (Primary),
Zilla Parishad,
Buldhana

...RESPONDENTS

Shri S.G. Joshi, Advocate for the petitioner.
Shri A.R. Chutke, Assistant Government Pleader for the
respondent Nos.1 & 2/State.

CORAM : A.S. CHANDURKAR AND
G.A. SANAP, JJ.
DATED : DECEMBER 21, 2021.

JUDGMENT (Per A.S. Chandurkar, J.) :

Rule. Rule is made returnable forthwith. Heard learned counsel for the parties.

2. The petitioner who is employed with Zilla Parishad, Buldhana as Assistant Teacher seeks protection for services till his tribe claim of belonging to “Koli Mahadeo” is decided by the Scrutiny Committee. That tribe claim is pending with the respondent No.2–Committee.

3. Attention is invited to the orders passed in Writ Petition Nos.6705/2019 (Prashant S/o. Jaywantrao Katole Vs. The Scheduled Tribes Caste Certificate Scrutiny Committee & anr.) and 6709/2019 (Raju s/o Kisanrao Katole Vs. The State of Mah. & ors.). By those orders it was directed that subject to decision of the Scrutiny Committee the services of the petitioner therein would stand protected as Government Resolution

dated 21/12/2019 would not apply to those persons whose caste claims are pending. It is further seen that by interim order passed in this writ petition on 01/10/2020 the services of the petitioner have been protected.

4. The learned Assistant Government Pleader, on instructions, submits that within further period of six months, the tribe claim of the petitioner would be decided.

5. In view of aforesaid the writ petition is disposed of by continuing the interim order dated 01/10/2020 and protecting the services of the petitioner till the tribe claim of the petitioner is decided by the Scrutiny Committee. The Scrutiny Committee shall take necessary steps to adjudicate the said claim by the end of June, 2022.

6. Rule is made absolute in the aforesaid terms. No costs.