

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

917 WRIT PETITION NO.4507 OF 2022

**SAHEBRAO SHESHERAO PALLEWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

Mr. P. A. Bharat, Advocate h/f N. G. Talekar, Advocate for the petitioner

Mr. S. G. Sangle, AGP for the respondents/State

**CORAM : RAVINDRA V. GHUGE &
S. G. DIGE, JJ.**

DATED : 21st April, 2022

PER COURT :-

1. We have briefly considered the submissions of the learned Advocate for the petitioner and the learned AGP on behalf of the respondents.

2. A peculiar issue has been raised before us. The petitioner desires to join at the place of transfer since he was transferred on his request. Despite having been relieved from Parali city and having been posted at Nanded, where he promptly reported for joining, the department is refusing to allow him to join on the ground that he should produce a tribe validity certificate.

3. The learned Maharashtra Administrative Tribunal

is seized with the original application No. 349/2022. By order dated 19th April, 2022, the learned Tribunal has issued notice to the respondents, returnable on 15th June, 2022. It is also observed in paragraph No. 11 that the Tribunal would take up the case for final disposal on the said said.

4. Considering the above and keeping in view that the claim of the petitioner for validity is pending before the Competent Committee, we grant leave to add the Committee as respondent No.4 and add a prayer clause. Addition be carried out. Issue notice to the added respondent No.4. The learned AGP waives service of notice for respondent No.4.

5. In view of the above, this petition is disposed off by directing respondent No. 4 to decide the pending 2013 claim of the petitioner, as expeditiously as possible and preferably on or before 30th December, 2022. Needless to state, the petitioner shall wholeheartedly cooperate in the proceedings and shall not seek adjournments on unreasonable grounds. If this so happens, the Committee shall progress to the next stage in the proceedings.

6. We request the learned Administrative Tribunal that, after hearing the learned Advocates for the respective sides on 15th June, 2022, the final order may be passed on or before 15th July, 2022. Needless to state, the learned

Tribunal would consider the fact that the petitioner is ever willing to join at the place of transfer, while deciding the issue of unpaid wages from the date of transfer.

7. We request the learned AGP to convey to the presenting Officer before the Tribunal that no adjournment would be sought for by State on 15th June, 2022.

(S.G. DIGE, J.)

(RAVINDRA V. GHUGE, J.)

ssp