

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

126 WRIT PETITION NO.9868 OF 2022

VARSHA SHRIRAM SUDEWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY
AND OTHERS

...
Advocate for Petitioner : Mr. O. D. Totawad h/f Mr. C. R. Thorat
AGP for Respondent No.1-State : Mr. A. R. Kale
Advocate for Respondent Nos.2 and 3 : Mr. S. B. Pulkundwar
...

**CORAM : RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.**

DATE : 27th September, 2022

PER COURT :

1. The petitioner is working as a 'Gramsevak' since 03/01/2012. She claims to be belonging to the 'Mannervarlu Scheduled Tribe'. She has been selected on the post reserved for backward category. She has to submit her validity certificate in order to avail of all service benefits.

2. Owing to a spelling mistake in the Tribe Certificate, the Scheduled Tribe Certificate Verification Committee seized the Tribe Certificate. The petitioner acquired a corrected Tribe Certificate by

approaching this Court in Writ Petition No.2784 of 2017. By an order of this Court, a corrected Tribe Certificate was issued. The same is now forwarded to the competent Scrutiny Committee and the proposal of the petitioner for validation is pending since 2017.

3. In the above backdrop, we cannot grant permanency to the petitioner since her claim for validation can be got decided with a direction to the Committee to do the needful within a particular period.

4. The learned Advocate for the petitioner places reliance upon an order dated 20/07/2022, passed by a Coordinate Bench, in **Writ Petition No.14036 of 2019**, filed by **Akash Shriram Dandge Vs. The State of Maharashtra and others**.

5. In view of the above, this petition is disposed off with the following directions :-

(A) The Scrutiny Committee would decide the claim of the petitioner on or before 31/01/2023.

(B) The respondent employer shall not dispense with the service of the petitioner only on the ground that her proposal

for seeking validity is pending.

(C) The petitioner shall render cooperation to the Committee for an expeditious decision and shall refrain from seeking adjournment on unreasonable and trivial grounds.

(D) If the claim of the petitioner is validated, the employer shall issue an order of granting regularization in service to the petitioner within one month along with all service benefits. Arrears of difference of wages, if any, would be calculated by the employer and paid to the petitioner within three weeks, thereafter.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

gawade/-.