

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

944 WRIT PETITION NO.6425 OF 2022

SWAPNIL SUBHAS DEORAJ
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
ANOTHER

...
Advocate for Petitioner : Mr. Barlinge S.R.
AGP for Respondents-State : Mr. P S. Patil
...

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

DATE : 20th August, 2022

PER COURT :

1. The petitioner has put forth prayer Clauses 'A' and 'B' as under :-
(A) By a writ of mandamus, the respondent No.2 Scrutiny Committee may kindly be directed to issue validity certificate in favour of the petitioner as belonging to Tokre Koli Scheduled Tribe.
(B) Pending hearing and final disposal of this Writ Petition, the employer of the petitioner may kindly be restrained from taking any adverse action against the petitioner on account of non-production of validity certificate.

2. It is contended that four blood relatives from the paternal side had earlier suffered invalidation and were granted validity certificates under the orders of this Court.

3. The learned AGP submits that contra evidence is available as the father of the petitioner appears to be belonging to 'Suryawanshi Koli'. He submits that the committee would decide the claim by 30/12/2022.

4. The learned Advocate for the petitioner submits that he is in employment with the State Bank of India. Though the Bank has not yet intimated him of any adverse action for having not yet tendered a validity certificate, he apprehends that this may occur.

5. In view of the above, this petition is disposed off. Respondent No.2 – Committee, which now functions from Dhule, and is known as the Dhule Committee, shall decide the claim of the petitioner, on or before 30/12/2022. The petitioner would render co-operation to the committee and would not seek adjournments on unreasonable or trivial grounds.

6. Until the claim of the petitioner is decided, his employer would refrain from initiating adverse action against the petitioner only on the ground that he has not yet tendered his validity certificate.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

vjg/-.