

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

935 WRIT PETITION NO.6026 OF 2022

**RAMRAO VITTHALRAO BHARPURE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Mr.Yeramwar Sushant C.
AGP for Respondents-State : Mr.S.G.Sangle
...

**CORAM : RAVINDRA V. GHUGE, &
ANIL L. PANSARE, JJ.**

DATE : 23rd JUNE, 2022.

PER COURT :

1. The petitioner has putforth prayer Clauses (B) and (C),
which read as under :

“(B) To quash and set aside the impugned Show Cause Notice dated 27.05.2022 issued by the Respondent No. 3 directing the Petitioner to submit Certificate of Validity by 26.11.2022 failing which action of putting his services on the supernumerary post will be taken in view of Government Resolution dated 21.12.2019 (Exhibit-E); and direct the Respondent No. 3 not to take any coercive action against the Petitioner for non submission of Certificate of Validity till decision of the Committee by issuing appropriate writ, orders, or directions as the case may be;

(C) To direct the Respondent No. 2- Scheduled Tribe Certificate Scrutiny Committee, Kinwat having its Head Office at Aurangabad to decide Tribe Claim of the Petitioner which is pending with the Committee since 27.09.2013 within a stipulated period as this Hon’ble Court deems fit, by issuing the appropriate writ, orders, or directions as the case may be;”

2. Issue notice to the respondents.
3. The learned AGP, waives service of notice for respondent Nos. 1 & 2.
4. The petitioner's claim for seeking validity, in relation to his caste "Dhangad" Scheduled Tribe, listed at Sr No. 36, in the list of Scheduled Tribes declared by the State of Maharashtra, is protected by his employer vide impugned notice, up to 26.11.2022, which is the deadline for submitting his validity certificate.
5. The learned AGP submits, on instructions, from the Law Officer of the Committee, that the claim of the petitioner would be decided within three months, as it is at the stage of submissions of Vigilance Committee's report.
6. In view of the above, this petition is disposed off, with a direction to respondent No. 2, to ensure that the claim of the petitioner is decided, on or before 30th September, 2022.
7. The petitioner shall extend his fullest co-operation and shall refrain from seeking adjournments on un-reasonable and trivial grounds. If this so happens, the Committee would be justified in proceeding to the next stages of the proceedings.
8. By the consent of both the parties, the petitioner shall

appear before the Committee on 04th July, 2022 at 12.00 noon.

(ANIL L. PANSARE)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

mahajansb/