

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

30 WRIT PETITION NO.7001 OF 2022

**ARCHANA DATTATRAYA KOLEWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

...
Advocate for Petitioner : Mr. V.D. Gunale
AGP for Respondent nos. 1 to 3 & 6 : Mr. S.G. Sangle

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

DATED : AUGUST 10, 2022.

PER COURT :

1. Leave to add the competent scrutiny committee as respondent no. 6. Leave to add a prayer. Additions to be carried out forthwith.
2. The petitioner has put forth prayer clauses 'C' and 'G' as under :-

(C) By writ of certiorari or any other appropriate writ, order or directions, the impugned communication dated 30.04.2022 issued by respondent No.5-school, be quashed and/or set aside and for that purpose necessary orders be passed

(G) By an appropriate writ, order or direction the Respondent (added) No.5 be directed to decide the tribe claim of petitioner as Mannervarlu Tribe within stipulated period and for that purpose necessary orders be passed.

3. The petitioner claims that she belongs to 'Mannervarlu' scheduled tribe. When she entered college, her claim was forwarded for verification to the competent committee. It is pending for the last

13 years. In the meanwhile, the petitioner joined service with respondent no. 5 as an assistant teacher. Her employment is now at risk, since the committee has not decided her claim.

4. The learned AGP appearing on behalf of respondent nos. 1 to 3 and 6 submits, on instructions, that the claim of the petitioner would be decided within six months.

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

- (A) Respondent no. 6 – Committee shall decide the claim of the petitioner, as expeditiously as possible and in any case, on or before 30th December, 2022.
- (B) Until 30th December 2022 or till the claim of the petitioner is decided, whichever is earlier, the service of the petitioner would be protected and respondent no. 2 would refrain from issuing any adverse order, only for the reason that the claim of the petitioner is yet to be validated.
- (C) The petitioner shall render wholehearted cooperation to the Committee and shall not seek an adjournment on unreasonable or trivial grounds.

[ARUN R. PEDNEKER J.]

[RAVINDRA V. GHUGE, J.]