

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7181 OF 2022

MADHUKAR DODHA BAGUL
VERSUS
STATE OF MAHARASHTRA THROUGH SECRETARY AND
OTHERS

...

Advocate for the Petitioner : Shri Phatale Sagar S.
AGP for Respondents 1 and 2 : Shri S.G. Sangle
Advocate for Respondents 3 to 5 : Shri Maheshkumar S.
Sonawane

...

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

DATE :- 14th July, 2022

Per Court :-

1. The petitioner, who is a retired employee, has put forth prayer clauses A, B and C as under :-

- “A) *Issue Writ of Mandamus or any other appropriate Writ or order in the like nature thereby direct the Respondent No.2- Scrutiny Committee to decide the pending tribe claim of petitioner expeditiously.*
- B) *Issue Writ of Mandamus or other appropriate Writ or Order in the like nature, thereby quash and set aside impugned Notice dated 09.09.2021 issued by Respondent No.4 thereby directed the petitioner to submit certificate of validity and also issue direction to respondent no.3 to 5 forthwith grant pension and other benefit to the petitioner, without insisting for*

- tribe validity certificate.*
- C) *The Respondent No.3 to 5 may kindly be directed to grant provisional pension and provide other benefit in favour of petitioner without insisting for certificate of validity, pending hearing and final disposal of the instant petition.”*

2. The petitioner submits that he shall wholeheartedly cooperate for an expeditious decision in the pending validation claim.

3. Considering the above, this Writ Petition is disposed off with the following directions :-

(a) The vigilance enquiry proceedings be concluded on or before 30.11.2022.

(b) Respondent No.2/ Committee shall decide the claim of the petitioner as expeditiously as possible and preferably on or before 28.02.2023.

(c) Respondent No.5 shall process the pension papers for payment of provisional pension within 30 days from today so as to enable the petitioner to earn at least provisional pension till the decision in his pending claim.