

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.10567 OF 2022**

VIMAL GANPATRAO SURAWAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...
Mr. A. B. Kharosekar h/f Mr. O. B. Boinwad,
Advocate for the Petitioner.
Mrs. R. P. Gaur, AGP for Respondents-State.

...
**CORAM : RAVINDRA V. GHUGE
AND
SANJAY A. DESHMUKH, JJ.
DATED : 18th OCTOBER, 2022.**

PER COURT:-

1. The petitioner has received a show cause notice dated 29.09.2022 from respondent no.4 for the reason that the petitioner has not tendered her Koli Mahadev-29, Scheduled Tribe validity certificate.

2. The learned A.G.P. representing respondent nos.1 to 4 strenuously opposes the petition contending that the petitioner has joined employment on 20.10.2020 from the Scheduled Tribe category and validity certificate has still not been tendered.

3. We are of the view that it is not within the domain of the petitioner to have the validity

certificate issued within a particular time frame. Once the proposal for seeking validity is tendered, the Committee has to consider the same with the due co-operation of the petitioner.

4. The learned advocate for the petitioner submits that one family member from the paternal side has been granted validity certificate and there is no invalidation of the claim of any family member. This is a statement made on instruction.

5. In view of the above, this petition is disposed off. The impugned show cause notice is quashed and set aside and the service of the petitioner shall be protected till the Committee decides her proposal. The Committee shall decide the proposal, on or before 31.03.2023. The petitioner shall render wholehearted co-operation and would not seek adjournment on unreasonable or trivial grounds, lest the Committee would be justified in progressing to the next stage in the case.

(SANJAY A. DESHMUKH)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE