

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

WRIT PETITION NO. 14036 OF 2019

Akash Shriram Dandge

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Pratap V. Jadhavar, Advocate for the Petitioner.

Shri A. S. Shinde, A.G.P. for the Respondent Nos. 1 and 2.

The Respondent Nos. 3 to 5 are served.

**CORAM : C. V. BHADANG AND
SANDIPKUMAR C. MORE, JJ.**

DATE : 20TH JULY, 2022.

PER COURT :

. This petition can be disposed of on a short count, based on similar view taken by the Coordinate Bench by order dated 11th October, 2021 in Writ Petition No. 11248 of 2021.

2. The petitioner who is appointed as a contractual Gram Sevak is seeking regularization and regular pay scale, which according to the learned counsel for the petitioner is not being processed on account of the fact that the petitioner has not obtained the validity certificate from the Caste Scrutiny Committee of belonging to Koli Malhar (Scheduled Tribe).

3. The Division Bench of this Court in similar circumstances of the petitioner in that case who being appointed as Gram Sevak

having completed three years of service and claiming regularization/pay scale had directed the Scrutiny Committee to decide the validation proceedings within a period of six months and in the mean time directed the respondents to take a decision on the claim of the petitioner on its own merits, which shall be provisional and subject to the decision of the scrutiny committee.

4. We have heard the learned counsel for the parties. The learned counsel for the petitioner is seeking orders similar to the one passed in Writ Petition No. 11248 of 2021.

5. The learned Assistant Government Pleader in all fairness states that, appropriate orders be passed.

6. In that view of the matter, the petition is disposed of in the following terms.

ORDER

- (i) The petitioner shall appear before the Scrutiny Committee on 23.08.2022.
- (ii) The Committee shall endeavour to decide the validation proceedings within a period of six (06) months from the date of appearance of petitioner. The petitioner shall co-operate in expeditious disposal of the validation proceedings before the Committee.

- (iii) The respondents shall decide the claim of the petitioner for regularization as a Gram Sevak with regular pay scale, on its own merits, after verification that the petitioner has completed three (03) years satisfactory service and availability of post and as per the applicable provisions/guidelines.
- (iv) However, the claim of the petitioner for regularization/pay scale as may be prescribed shall not be rejected only on the ground that the validation proceedings are pending.
- (v) The decision taken by the respondents shall be provisional and shall be subject to the decision of the scrutiny committee about the validity of the caste certificate of the petitioner.
- (vi) Writ Petition is disposed of in aforesaid terms. No costs.

SANDIPKUMAR C. MORE J.

C. V. BHADANG, J.