

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.7686 OF 2022**

Shankarrao S. Bopte

.. Petitioner

v/s.

The State of Maharashtra  
through its Principal Secretary  
& Ors.

.. Respondents

Mr. Mutahar Khan a/w Dharmesh S. Joshi for the petitioner.

Mr. A.A. Alaspurkar, AGP, for respondent no.1-State.

Mr. Abhijeet Joshi for respondent nos.2 to 5.

**CORAM : R.D. DHANUKA &  
KAMAL KHATA, JJ.  
DATED : 17TH AUGUST, 2022.**

**P.C. :**

1. Heard the learned counsel for the parties.
2. Learned counsel for the petitioner submits that by this petition under Article 226 of the Constitution of India, the petitioner is challenging Government Resolution dated 21<sup>st</sup> December, 2019 issued by respondent/State and also orders passed by the Appointing Authority putting the petitioner's services as

supernumerary / temporary basis for 11 months, for non-submission of Caste Validity Certificates.

3. Registry pointed out that several matters are pending in respect of the same issue at Aurangabad Bench, Nagpur Bench and also Principal Bench at Bombay. Registry submitted that all these matters are transferred for hearing and final disposal at Aurangabad Bench as per directions issued by the Hon'ble the Chief Justice dated 26<sup>th</sup> November, 2020.
4. Considering this fact, this matter is required to be transferred to Aurangabad Bench for hearing and final disposal on its own merits. Hence, following order is passed;

(a) Registry is directed to take immediate steps for transferring this matter to the Aurangabad Bench.

(b) Respondents are directed not to take any coercive action against the petitioner on the basis of Government Resolution dated 21<sup>st</sup> December, 2019 and also orders passed by the Appointing Authority putting the petitioner's services as supernumerary / temporary basis for 11 months, for non-submission of Caste Validity Certificates, till 30<sup>th</sup> September, 2022.

(c) Liberty is granted to the petitioners to move before appropriate Bench at Aurangabad for further orders.

(KAMAL KHATA, J.)

(R.D.DHANUKA, J.)