

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7367 OF 2014

Smt. Nirmala Sadashiv Mahajan. ... Petitioner.
V/s.
The State of Maharashtra and another. ... Respondents.

Mr.Vinayak Kumbhar i/b. N.V.Bandiwadekar for the Petitioner.

CORAM : NITIN JAMDAR AND
AMIT B. BORKAR, JJ.

DATE : 3 January 2022.

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Petitioner was working as a Primary Teacher in Respondent No.2- Zilla Parishad. By this petition, the Petitioner has challenged the order dated 11 July 2014 terminating the services of the Petitioner and for further direction that the Petitioner be reinstated.

2. The Petitioner was appointed in the reserved category. The Petitioner was called upon to submit a caste validity certificate, which the Petitioner does not possess as on date. The termination is of the year 2013 was effected in light of the provisions of the Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes

(Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 which lays down that for appointment in government and semi-government authorities of the State covered by the enactment, a caste validity certificate is required. The impugned order, thus, cannot be faulted and relief of reinstatement cannot be considered.

2. In view of this position, the prayer made in the petition cannot be considered. Writ petition is rejected.

(AMIT B. BORKAR, J.)

(NITIN JAMDAR, J.)