

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.8371 OF 2019

Niranjan Vishvanath Nallewar, Bhahmangaon Umri, Tq. Umrai, Dist. Yavatmal
-vs-
State of Maharashtra Thr. Its Secretary, Education and Sports Dept. Mantralaya, Mumbai and
ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri S. S. Patil, Advocate for petitioner.
Ms N. P. Mehta, Assistant Government Pleader for respondent Nos.1,4
and 5.

CORAM : A. S. CHANDURKAR AND SMT M. S. JAWALKAR, JJ.
DATE : March 14, 2022

P.C.

Considering the short issue involved, the writ petition is taken up for final disposal by issuing Rule and making the same returnable forthwith.

Heard.

The petitioner claims that he was appointed as Junior Clark at the respondent No.3-School which is run by respondent No.2-Management. It is the claim of the petitioner that he belongs to 'Munnerwar' Scheduled Tribe. On 15/05/2019 the Management issued a notice to the petitioner thereby terminating his services on the ground that he had not submitted his validity certificate till date. Being aggrieved the petitioner has approached this Court with a prayer for reinstatement of

service.

2. It is found that unless the tribe certificate of the petitioner is duly scrutinized, the relief sought in the writ petition cannot be granted. It would be necessary for the petitioner to first seek verification of his tribe certificate. It is not clear whether his tribe certificate has been sent for verification or not by the Management. The interests of justice would be met by passing the following order :

The respondent Nos.2 and 3 shall forward the petitioner's tribe certificate to the competent Scrutiny Committee for verification of the said tribe certificate if the same is not already sent. On receipt of the tribe certificate, the Scrutiny Committee shall examine the same in accordance with law. The prayer for reinstatement of the petitioner is kept open for being urged depending upon the outcome of the order passed by the Scrutiny Committee.

The writ petition is disposed of in aforesaid terms. The petitioner shall serve the copy of this order on the respondent Nos.2 and 3 for necessary action. Rule accordingly. No costs.