

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

WRIT PETITION NO. 6768 OF 2023

SINDHUTAI NARSINGRAO DHOTRE
VERSUS
THE COLLECTOR NANDED AND OTHERS

...
Advocate for Petitioner : Mr. Gite Umesh Babanrao
AGP for Respondents : Mr. A.S. Shinde

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.
DATED : 26 JUNE 2023**

PER COURT :

1. Heard both the sides.
2. The petitioner was initially appointed as a Police Patil for a period of five years starting from 13 March 2012, by the appointment order date of the even date (Exhibit 'B'). As can be seen from the endorsement at the bottom, her appointment seems to have been continued further from 12 March 2017 to 13 March 2027. She has been served with the impugned communication exhibit 'D' informing her that in the absence of a validity certificate appropriate action would be initiated in accordance with law.
3. It appears that by the communication dated 01 July 2011, (Exhibit 'C') of office of Sub Divisional Officer, Degloor, had forwarded petitioner's proposal for tribe verification to the respondent

no. 3 – Scrutiny Committee. However, learned AGP, on written instructions, vide communication dated 26 June 2023, from the respondent no. 3 – Scrutiny Committee informs that it had not received any such proposal.

4. To have a validity is not in the hands of the petitioner. She has been continued at the same post even after her first tenure of five years was over. It is for the Sub Divisional Officer, Degloor, to forward a fresh proposal, if it is not available with the respondent no. 3 – Scrutiny Committee. However, no penal action can be permitted till the time, the proposal is decided on its own merits.

5. We allow the Writ Petition partly, quashed and set aside the impugned communication. We direct the respondent no. 2 – Sub Divisional Officer, Degloor, to forward a fresh proposal to the respondent no. 3 – Scrutiny Committee for validation of the petitioner's tribe claim.

6. No coercive action shall be initiated pursuant to the communication dated 24 May 2023.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

SPChauhan