

(1)

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

908 WRIT PETITION NO.8751 OF 2020

**SANTAJI SAMBHAJI JADHAV
VERSUS
THE STATE OF MAHARASHTRA AND ANR.**

....

Mr E. S. Murge, Advocate h/f Mr Janardhan Madane, Advocate
for Petitioner;
Mr P. S. Patil, A.G.P. for Respondent No.1

**CORAM : RAVINDRA V. GHUGE
AND
Y. G. KHOBRAGADE, JJ.**

DATE : 1st December, 2023

PER COURT:

1. This is a Petition, which has been transferred to this Court under the order of the Hon'ble The Chief Justice for clubbing such matters. By the first order dated 19/11/2020, passed at the Principal Seat, the Petitioner's service was protected. In the backdrop of the invalidation of the claim of the Petitioner and under a remand of the proceeding under the orders of the High Court, the validation cases were to be reconsidered. It is in these circumstances that the present Petitioner continued in employment with the order of posting him on a supernumerary post.

(2)

2. The Petitioner's claim of belonging to the 'Koli Mahadev' Scheduled Tribe category is allowed. The learned Advocate for the Petitioner places on record a photostat copy of the certificate dated 21/10/2022, bearing Sr. No.119849 to indicate that the Petitioner's claim has been accepted and he is declared to be belonging to the 'Koli Mahadev' Scheduled Tribe category. The said certificate is marked as 'X' for identification.

3. In view of the above, **this Writ Petition is partly allowed.** The impugned order dated 31/12/2019, passed by Respondent No.2/Chief Executive Officer, Zilla Parishad, Satara, placing the Petitioner in the supernumerary post, stands quashed and set aside. Needless to state, the Petitioner would be entitled for all service benefits, incidental and consequential to his claim having been validated.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk