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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.12076 OF 2023

Santosh Potanna Goskulwad

PETITIONER

VERSUS

The State of Maharashtra Through its Secretary
and Others

RESPONDENTS

.....

Mr. Sunil M. Vibhute, Advocate for the Petitioner

Mr. S. K. Tambe, AGP for Respondent - State

Mr. S. T. Shelke, Advocate for Respondents Nos. 4 and 5

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

DATE : OCTOBER 26, 2023

ORDER :

1. The proposed termination order of the Petitioner dated 27th September, 2023, seeking to make termination to be effective from 1st October, 2023 has been stayed by order dated 29th September, 2023.
2. The Petitioner desires to delete Respondent No.6. Deletion permitted at the risk of the Petitioner. Deletion be carried out forthwith.
3. Heard learned advocates for the respective sides. We have noticed strong objections raised by the Management.

4. According to the learned advocate for the Management, who has gathered information from the Committee, the Petitioner is not very keen in the swift progress of his pending claim as belonging to Munnerwarlu Scheduled Tribe for validation. Adjournments are being sought. This Court had earlier directed on 23rd September, 2020 in Writ Petition No. 5620 of 2020 that the Committee would decide the proceeding within nine (9) months. He further submits that the University is seriously questioning the Management as to why the Petitioner has not tendered the validity certificate, when selection and appointment is on a post reserved for the backward category.

5. Learned AGP submits that there are thousands of orders passed by various Courts setting out time line to the Committee to decide pending claims, especially of the students, as a consequence, the proceedings in the case of the Petitioner, besides adjournments sought, could not be completed within specific time line. He submits that the claim of the Petitioner would be decided on or before 31st March, 2024.

6. Learned advocate for the Petitioner submits that the Petitioner would not seek any adjournment in the pending proceeding.

7. In view of the above, this Petition is disposed off. The Committee shall decide claim of the Petitioner on or before 31st March, 2024. The order of termination dated 27th September, 2023 shall be kept in abeyance until 31st March, 2024 or till the date on which the claim of the Petitioner is decided, whichever is earlier. If the Petitioner's claim is invalidated, the Management would be at liberty to take appropriate action.

8. The Petitioner shall render wholehearted co-operation to the Committee and shall refrain from seeking adjournments on unreasonable or trivial grounds, lest the Committee would be justified in progressing to the further steps in the proceedings.

9. The learned advocate for the Management tenders the e-mail ID of the Management i.e. smbstcollege@gmail.com and prays that the decision of the Committee be forthwith communicated to the Management on the said e-mail ID.

[Y. G. KHOBRAGADE]
JUDGE

[RAVINDRA V. GHUGE]
JUDGE