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

978 CIVIL APPLICATION NO.13297 OF 2023
IN WP/8580/2023

VINOD UKHAJI GAVALI
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

....
Mr C. R. Thorat, Advocate for Applicant;
Mr P. K. Lakhotiya, A.G.P. for Respondents/State

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

DATE : 3rd November, 2023

PER COURT:

1. The Petitioner's claim of belonging to the 'Koli Mahadev' Scheduled Tribe category has been invalidated. He is in employment.

2. A Co-ordinate Bench of this Court has passed the order dated 19/07/2023, protecting the Petitioner against the adverse action. In such matters, to balance the equities, this Court has been directing such candidates to enter their affidavit undertaking that, they would not claim wages revision/ pay-fixation/increments/service benefits/promotions, etc. until their

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claims are validated by this Court, as they have secured employment on the basis of the claim that they belong to the reserved category.

3. The learned Advocate for the Petitioners submits that the Petitioner would tender such undertaking in this Court and a copy to the employer, within a period of 21 days from today.

4. After such affidavit undertaking is tendered, the employer shall commence the payment of regular salary to the Petitioner, which was being paid when his claim was invalidated.

5. With the above directions, **this Civil Application is disposed off.**

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk