



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

WRIT PETITION NO. 15088 OF 2023

**PRIYA VASANTRAO GOSKULWAR
VERSUS**

**THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND OTHERS**

...
Shri Thorat Chandrakant R., Advocate for the Petitioner.
Shri P.K. Lakhotiya, AGP for Respondents 1 to 4/State.
...

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

DATE :- 11th December, 2023

Per Court :-

1. The Petitioner is aggrieved by the show cause notice dated 04.12.2023 vide which, her employer/ Respondent No.3 is likely to terminate her services since her validity certificate has not been tendered. Her claim of belonging to “Mannervarlu”, Scheduled Tribe category is pending with the Committee since 02.05.2019. She was selected to the post reserved for the Scheduled Tribe category and was appointed on 08.02.2022. Her probation period is of three years, which would conclude on 07.02.2025.

2. The learned Advocate for the Petitioner submits that the Petitioner would tender an affidavit undertaking in this Court and a copy to the Employer, within 15 days from today, declaring therein that she would not claim confirmation in service until her claim is decided by the Committee.

3. The learned Advocate hastens to add that her biological father has already received the validity certificate. Prachi and Sagar (siblings) are the children of Bhagwan, who is the biological brother of the Petitioner's father Vasant. Both the siblings have validity certificates. Another cousin Nikhil is the son of Subhash, who is biological brother of the Petitioner's father. Nikhil also has a validity certificate.

4. In view of the above, the impugned show cause notice dated 04.12.2023 shall stand stayed until the decision of the Committee. If the Committee grants the validity certificate to the Petitioner, the Petitioner would be eligible to be considered for confirmation. We, therefore, direct the Committee to decide the claim of the Petitioner on or before 30.06.2024, on its own merits and also by considering the validity certificates granted to the blood relatives of the Petitioner.

5. In the event the verdict of the Committee leads to

the invalidation of the claim of the Petitioner, such verdict shall not lead to the termination of the Petitioner for a period of 30 days thereafter.

6. With the above directions, **this Writ Petition is disposed off.**

kps

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)