



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1010 WRIT PETITION NO. 15661 OF 2023

DWARKADAS VINAYAK DANDGE

....Petitioner

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

.....Respondents

.....

Mr. O. B. Boinwad And Mr. Yogesh R. Suradkar, Advocate for Petitioner
Mrs. Priya R. Bharaswadkar, AGP for Respondents

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRADE, JJ.

DATE : 20th December, 2023

ORDER:

1. The Petitioner's claim of belonging to "Koli Malhar" Scheduled Tribe is pending adjudication from 1st December, 2021. He has received a notice from his employer dated 29.11.2023 to produce a validity certificate or face termination within seven days. He submits that the employer has still not terminated him since he requested for time.

2. Considering the above, we do not find that this **Writ Petition** should be kept pending in this Court and the same **is disposed off** with the following directions:

(A) Respondent No.2 Competent authority would decide the claim of the Petitioner on or before 30.06.2024.

(B) The Petitioner would render wholehearted cooperation to the Committee and would not seek adjournments on unreasonable or trivial grounds, lest the Committee would be justified in progressing to the further stages in the preceding.

(C) The Petitioner would tender an affidavit undertaking to the employer- Respondent No.3 and this Court, declaring therein that he would not claim any service benefits of any nature whatsoever, until his claim is decided by the Committee. Let such affidavit undertaking be filed on or before 15.01.2024.

3. In view of the above, we direct Respondent No.3, not to terminate the services of the Petitioner till 30.06.2024 or till the claim is decided, whichever is earlier.

4. If an adverse order is passed against the Petitioner by the Committee, the same would come into effect after 30 days from the date of its passing.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan