



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1415 OF 2024

JANNGANTH BASANDAS TAGHARE

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...

Mr. Vivekanand U Jadhav, Advocate for the Petitioner.

Mr. N. S. Tekale, AGP for Respondent-State.

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CORAM : SMT. VIBHA KANKANWADI AND
S. G. CHAPALGAONKAR, JJ.

DATED : 05th FEBRUARY, 2024.

P.C.

1. The present petition has been filed for following reliefs:-

"B. To direct the Respondent No.2-Committee to take final decision forthwith considering urgency in the matter by issuing the appropriate writ, orders, or directions as the case may be;

C. To direct respondent No.3 Headmaster of Shri Shivaji Secondary and Higher Secondary School, Bharaj (Bk) Tq. Jafarabad Dist. Jalna not to take any coercive action against petitioner on the count of pendency of his tribe claim.

D. Pending hearing final disposal of the Writ Petition Respondent No.3 Head Master of Shri Shivaji Secondary and Higher Secondary School, Bharaj (Bk) Tq. Jafarabad Dist. Jalna be directed not to take any coercive action against petitioner on the count of pendency of his tribe claim."

2. The learned AGP after waiving notice for respondent nos.1 and 2 and upon instruction submits that the application for tribe certificate filed by the petitioner would be decided by respondent no.2 within a period of two months.

3. Further it can be seen that the petitioner came to be appointed as Assistant Teacher on 26th December 2011 and till today, he is serving in the same capacity. It appears that he has submitted proposal for deciding his tribe claim with respondent no.2 on 14th July 2011 and since then it is pending. Therefore, the directions need to be given as well as protection is required to be given to the petitioner till the decision by respondent no.2.

4. In view of the said statement, which is taken as undertaking, the petition stands disposed of with direction to respondent no.2 to decide the application filed by the petitioner within a period of two months from today.

5. In the meantime, till the decision by respondent no.2, no coercive action should be taken against the petitioner.

6. Parties to act on authenticate copy of this order.

(S. G. CHAPALGAONKAR)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE