



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

48 WRIT PETITION NO. 7534 OF 2024

DURGA BHAUSAHEB PAWAR

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
ANOTHER

...

Advocate for the Petitioner : Mr. C. R. Thorat
AGP for Respondent / State : Mr. S. B. Pulkundwar

...

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

DATE : 22.07.2024

PER COURT :

1. The Petitioner has obtained employment with the Zilla Parishad, Dhule on a post reserved for the Scheduled Tribe Category. She claims to be belonging to the 'Thakur' Scheduled Tribe. Her claim for validation before the competent committee is pending since 05.01.2016. She is expecting a promotion in the near future. Because of a family dispute, the validity holders (her cousin brothers) have not given an affidavit in support of the Petitioner's claim. She submits that she is willing to tender an affidavit undertaking before this Court, as well as before the employer, within 21 days, indicating therein that she would not claim any increments / pay revision / promotion / service benefits etc., until her claim is validated either by the Committee or by

a Court.

2. In view of the above, **this Writ Petition is disposed off** with the following directions :-

(a) The Petitioner shall tender an affidavit undertaking in the light of the above statement, to this Court and a copy to the Employer, on or before 09.08.2024.

(b) After the said affidavit containing the above statement is tendered, the Employer would refrain from terminating the services of the Petitioner only for the reason that she does not have a validity certificate, until 15.12.2024.

(c) The Petitioner would render wholehearted cooperation to the competent Committee. Correspondence on her email address/ Whatsapp account, would be considered as proper service. Her email address and whatsapp number are pawardurga1990@gmail.com and 9067138056.

(d) The Petitioner shall refrain from seeking adjournment on unreasonable or trivial grounds, lest, the Committee would be justified in progressing to the next stage in the proceedings.

(e) The claim of the Petitioner shall be decided by the Committee, on or before 30.11.2024.

(f) If an adverse order is passed by the Committee, same shall not be effected till 15.12.2024 considering that an affidavit undertaking would be tendered and the same shall be binding on the Petitioner till her claim is validated.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

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