



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

WRIT PETITION NO. 9266 OF 2024

VIKAS GOVINDRAO BODAMWAD

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

....

Mr. Anand V. Patil – Indrale, Advocate for the Petitioner

Mr. S. R. Wakale, AGP for the Respondent – State

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

DATE : 29.08.2024

PER COURT :-

1. This is the fourth Petition filed by the present Petitioner seeking the same relief of issuance of a Writ of Mandamus to direct the Committee to decide the tribe claim of the Petitioner, as expeditiously as possible.

2. In Writ Petition No.383 of 2018, this Court passed an order on 11.01.2018 and granted nine months to the Committee to decide the pending proposal. We are informed that there were certain deficiencies in the proposal and the Committee called upon the Petitioner to remove the deficiencies.

3. The Petitioner again had to file Writ Petition Stamp No.10758 of 2020, seeking early validation of the claim. He has been placed on a supernumerary post and even today he continues in the same capacity in employment, only because his tribe claim was not validated. By order dated 19.06.2020, this Court granted nine months time to the Committee to decide the claim. This order has been disobeyed.

4. The Petitioner has preferred this Petition, since his claim is still pending adjudication. Despite the orders of this Court dated 11.01.2018 and 19.06.2020, the Petitioner's claim is still pending.

5. It is submitted by the Petitioner that, Shri Dinesh B. Tidke, Vice Chairman and Joint Commissioner, Shri Vijaykumar M. Katke, Member Secretary and Deputy Director and Shri Gajendra S. Kendre, Member and Senior Research Officer, are to be blamed for the delay in deciding the claim of the Petitioner. There are eight Contempt Petitions pending against Shri Tidke, 12 against Shri Katke and 5 against Shri Kendre.

6. We are informed that the documentation was not ready when this Court passed the first order on 11.01.2018. However, after the order dated 19.06.2020 was passed by this Court, the learned AGP submits on instructions that these officers do not have any convincing explanation as to why the orders of the Court have been disobeyed. Several Contempt of Court Petitions have been filed against these Committee Members.

7. A ready reference chart indicating the tenure of the Members of the competent Committee at issue, is placed on record, which is marked as "**X-1**" for identification. The entire list of the contempt of Court proceedings pending against various members of this Committee, in a four pages compilation, is placed on record, which is marked as "**X-2**" for identification.

8. The officers who were a part of the Committee after the order dated 19.06.2020 was passed, are Shri Vijaykumar Mahadeo Katke, Smt. Sangita B. Chavan, Shri Dinesh Bakaram Tidke, Smt. Pallavi A. Shelke, Shri Sachin Jadhav, Smt. Chetana D. More, Shri Gajendra Shankarrao Kendre, Shri Vijaykumar Mahadeo Katke, Shri

Chhandak Govind Lokhande, Smt. Mamta Ramdas Vidhale and Shri Hitesh Hukumchand Walale.

9. Since the disobedience of our various orders by the above stated officers is apparent and admitted, the learned AGP submits that he may be given a short time to take instructions from these officers in order to convey their unconditional apologies and their willingness to deposit costs instead of the Contempt of Court proceedings being initiated against them. He further submits on instructions that within 60 days from today, the Petitioner's claim would be decided by serving him a copy of the Vigilance Cell inquiry report, followed by a hearing with 15 days time, and then a judgment.

10. The Petitioner has tendered his WhatsApp number 9096931405 and e-mail I.D. vikas.bodamwad@gmail.com, for easy correspondence between the Petitioner and the Committee.

11. Having recorded the statement of the learned AGP on instructions that the claim of the petitioner would be decided on or before 15.11.2024, **this Writ Petition is disposed off.**

12. The disposed off Petition would listed before us on 05.09.2024, for considering the statement to be made by the learned AGP on behalf of the above mentioned officers who have disobeyed our orders and for dictation of order.

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]

SMS