



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

909 WRIT PETITION NO. 9206 OF 2024

**ROHIT TATYARAO KOLI
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS**

.....
Advocate for the Petitioner : Mr. G.K. Chinchole h/f. S.M. Vibhute
AGP for Respondents/State : Ms. Neha Kamble
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**CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.
DATE : 27th August, 2024**

PC. :-

1. The Petitioner is working as an Assistant Branch Postmaster on probationer, appointed on 20.05.2023 on a post which was reserved for the Scheduled Tribe category, with Respondent No.3. He claims that he belongs to the Koli Mahadev Scheduled Tribe category. His claim is pending adjudication. He is willing to tender an affidavit undertaking that he would not seek permanency or regularization in employment or increments / pay fixation / promotions / service benefits etc. until his claim is validated either by the Committee or by this Court. He submits that such affidavit would be filed on or before 10.09.2024 in this Court as well as with the employer. On the basis of the affidavit, he prays for protecting of his service.

2. The learned AGP submits on instructions that the proceedings are reserved by the Committee and a final order is expected shortly.

3. In view of the above, **this Writ Petition is disposed off.** The Petitioner shall tender the affidavit undertaking as mentioned above, in this Court and serve a copy on the employer on or before 10.09.2024. On this condition, the employer would not terminate the service of the Petitioner. If the claim of the Petitioner is invalidated by the committee, the protection shall continue since the affidavit undertaking has been filed.

4. We expect the committee to deliver its order, on or before 15.10.2024.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]