



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

912 WRIT PETITION NO. 9969 OF 2024

Tulshiram Govindrao Baste

....Petitioner

VERSUS

The State of Maharashtra & others

.....Respondents

.....

Mr. O. D. Totawad, Advocate holding for Mr. C. V. Thorat, Advocate for the Petitioner.

Ms. Neha Kamble, AGP for the State.

**CORAM : RAVINDRA V. GHUGE &
SHAILESH P. BRAHME, JJ.**

DATE : 13th SEPTEMBER, 2024.

PER COURT :

1. The Petitioner's claim for seeking "Mannervarlu" Scheduled Tribe validity certificate, is pending with the Competent Authority since 2018. He is in employment, having been appointed as an Agricultural Assistant in the Department of Agriculture, Aurangabad Division, on a post that was reserved for the Scheduled Tribe category. He is under a threat of termination since the validity certificate has not been furnished to the employer.

2. He tenders an affidavit undertaking dated 11.09.2024, declaring that he would not seek increment/promotion/service benefits/ revised pay scale etc. until his claim is validated, either by the Committee or by this Court. Based on such affidavit undertaking, he seeks protection. The affidavit undertaking is taken on record and marked as 'X' for identification. A copy of the said affidavit undertaking shall be tendered to the employer, within 15 days from today.

3. The learned Advocate for the Committee submits that the claim of the Petitioner shall be decided within six months.

4. In view of the above, **this Writ Petition is disposed off.** Let the claim of the Petitioner be decided, on or before 31.03.2025. Keeping in view the affidavit undertaking 'X', we direct the employer not to terminate the services of the Petitioner until his claim is validated, subject to the undertaking 'X'. Consequently, the salary that is presently being paid to the Petitioner, subject to the undertaking affidavit, shall be released by the employer.

5. The Petitioner tenders his email address as tulshiramb2016@gmail.com and his WhatsApp number as 9527903993, for easy correspondence and makes a submission that the Committee can enter into correspondence with the Petitioner on the email address/WhatsApp number. Physical notices are, therefore, dispensed with.

6. The Petitioner undertakes to render whole hearted co-operation to the Committee for the expeditious disposal of his claim and would refrain from seeking adjournment on unreasonable or trivial grounds, lest, the Committee would be justified in progressing to the further stages in the proceeding.

(SHAILESH P. BRAHME)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

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