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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

965 WRIT PETITION NO. 9922 OF 2024

RANJANA KAMALJI KANDHARE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr.G.K.Chinchole h/f Mr.S.M.Vibhute, Advocate for the Petitioner.
Ms.Neha Kamble, AGP for the Respondent/State.

(CORAM : RAVINDRA V. GHUGE AND
Y.G.KHOBRADE, JJ.)

DATE : SEPTEMBER 12, 2024

PER COURT :

1. The Petitioner desires that her pending validity claim of belonging to 'Koli Mahadev', Scheduled Tribe, be decided by the Scrutiny Committee, as expeditiously as possible.

2. The Petitioner has been appointed vide the order dated 18.09.2019, as a Jr.Auditor from the Scheduled Tribe category. Within six months, she has to tender the validity certificate. She apprehends termination.

3. She has tendered the affidavit-undertaking declaring that she would not seek regularization, increments, promotion, revised pay fixation, service benefits, etc. until her claim is validated. The said affidavit undertaking is taken on record and marked as 'X' for identification.

4. The learned AGP submits, on instructions from the Committee, that since the proposal is pending with the Committee since 04.03.2014, the validity claim of the Petitioner would be decided by the Committee within six months.

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

(a) The pending claim of the Petitioner shall be decided by the Scrutiny Committee, within six months.

(b) The Petitioner shall tender the copy of the affidavit undertaking 'X' to the Employer, within 15 days from today.

(c) In view of the affidavit undertaking 'X', the Employer would refrain from terminating the services of the Petitioner only for the reason that she does not have a validity certificate.

(d) 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 ranjana.8195@gmail.com and 9960139401.

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

(f) If an adverse order is passed by the Committee, the service of the Petitioner will not be terminated considering that the affidavit undertaking 'X' will continue to bind the Petitioner even before this Court, when she challenges the adverse order.

(Y.G.KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)