



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

927 WRIT PETITION NO.10815 OF 2024

Nilakantha s/o Ramdas Boinwad
Age: 28 years, Occu.: Student,
R/o. Ujalamb, Tq. Chakur,
District Latur.

.. Petitioner

Versus

1. The State of Maharashtra
Through its Principal Secretary,
School Education and Sports Department,
Mantralaya, Mumbai-32.
2. The Director of Education,
Directorate of Secondary and Higher
Secondary Education,
Maharashtra State, Dr. Ani Bezant
Road, Central Building,
Pune-411001.
3. The Chief Executive Officer,
Zilla Parishad, Solapur.
4. Deputy Director (Research)
and Member Secretary,
Scheduled Tribe Certificate
Verification Committee, Kinwat,
Headquarter Chhatrapati Sambhajinagar,
Near CIDCO Bus Stand, Chhatrapati
Sambhajinagar,
Dist. Chhatrapati Sambhajinagar.

.. Respondents

...
Mr. C. R. Thorat, Advocate for the Petitioner.
Mr. N. R. Dayama, AGP for Respondents/State.
...

**CORAM : SMT. VIBHA KANKANWADI &
S. G. CHAPALGAONKAR, JJ.**

DATE : 15th OCTOBER 2024

ORDER :

. Issue notice to the respondents. Learned AGP waives notice for respondent Nos.1, 2 and 4. By order dated 01.10.2024, this Court had permitted the petitioner to serve Zilla Parishad, Solapur by Advocate's notice along with the copy of the order. Today, the learned Advocate for the petitioner is submitting the service affidavit and it appears that Zilla Parishad, Solapur has been served with Advocate's notice dated 07.10.2024 by hand. None appears for respondent No.3.

2. From the record it appears that the present petitioner was at serial No.11 in Writ Petition No.5893 of 2024, which was decided on 21.06.2024. At the time of deciding said petition, present petitioner sought withdrawal of his name from the petition with liberty to file fresh petition in view of the fact that he had not tendered the proposal for verification of his reserved category. It appears that in view of the said liberty, which was granted by this Court in the said writ petition, the present petitioner has tendered proposal for verification of his reserved category on 11.07.2024 with respondent No.4.

3. It is to be noted that the similar situated petitioners' petition i.e. Writ Petition No.5893 of 2024 has been decided by this Court on 21.06.2024, wherein directions have been given to decide the tribe claims of those petitioners by the respective Committees within stipulated period i.e. on or before 30.09.2025.

We dispose of this writ petition with following directions :-

(a) The pending claim of the petitioner, who is belonging to Scheduled Tribe Category, with respondent Nos.4 and 5, shall be decided on or before 31.12.2025.

(b) Petitioner would tender his e-mail address and his WhatsApp cell numbers, without any mistakes, to the Competent Committee, within ten days from today.

(c) Correspondence in connection with this pending proposal between the Petitioner and the Committee, would be permissible through e-mail and WhatsApp.

(d) If any e-mail or WhatsApp number is found to be erroneous, the Petitioner will not be entitled to raise any grievance on the ground that he did not receive any communication from the Committee.

(e) The Petitioner shall render wholehearted cooperation to the Committee and shall refrain from seeking adjournments on unreasonable or trivial ground, else, the Committee would be justified in progressing to the further stages in the proceedings.

(f) Considering the law laid down in ***Shrikant Chandrakant Saidane and others Vs. The State of Maharashtra and others, [2012 (4) ALL MR 658]***, the Zilla Parishad, Solapur, would proceed to issue the appointment order of Shikshan Sevak to the petitioner.

(g) We direct that the petitioner would not be confirmed in employment and would not be eligible for any further service benefits, except his salary as a Shikshan Sevak, until his claim is validated either by the Committee or by any Court. This direction is issued with the consent of the petitioner.

(h) The petitioner shall serve a copy of this order on the Chief Executive Officer, Zilla Parishad, Solapur, within 15 days from today.

[S. G. CHAPALGAONKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm