



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 WRIT PETITION NO. 10571 OF 2024

Bhushan Chandrakant Bagul

VERSUS

The State of Maharashtra Through Tribal Department and others

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Advocate for the Petitioner : Mr. Mukulanand R. Wagh

AGP for Respondents : Ms. Neha Kamble

Advocate for Respondent No.3 : Mrs. Sudha Kulthe

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

DATED : 1st OCTOBER, 2024.

PER COURT :-

1. The Petitioner's claim of belonging to the 'Thakur Scheduled Tribe Category' is pending adjudication before the Competent Committee. The learned A.G.P. submits that the pending proceedings of the Petitioner would be decided on or before 31.01.2025.

2. The learned Standing Counsel for the Union of India submits that the Petitioner would be engaged as a trainee and the training programme is for one year. Within this period of one year, the Petitioner has to tender the validity certificate.

3. The Petitioner has filed an affidavit undertaking stating

therein on oath that the Petitioner would not claim permanency, promotion, revision of pay scale, increments or service benefits etc. until his claim is validated, either by the Committee or this Court.

4. The learned counsel for the Petitioner submits that there are 20 validity holders in his blood relations from the paternal side. Out of those, some validity certificates have been granted under the orders of this Court. He relies upon **Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti Vs. State of Maharashtra and others, [AIR 2023 SC 1657]** and **Apoorva Vinay Nichale Vs. Divisional Caste Certificate Scrutiny Committee No.1 and others; [2010 (6) Mh.L.J.401]**, to support his contention that the Vigilance Cell inquiry may not be necessary in his case. We leave this aspect open to the Committee to consider, in accordance with the Rules applicable.

5. In view of above, **this Writ Petition is disposed off.**

6. The claim of the Petitioner would be adjudicated upon, on or before 31.01.2025, keeping in view the law laid down in **Maharashtra Adiwasi Thakur Jamat Swarakshan Samiti (supra)** and **Apoorva Vinay Nichale (supra)**. For easy correspondence, the Petitioner tenders his E-mail address bhushanbagul909@gmail.com and WhatsApp No. 7249859858. The

parties shall enter into the correspondence on either of these modes.

7. The Petitioner shall wholeheartedly cooperate with the Committee for expeditious decision. Since the affidavit undertaking has been tendered, there is no impediment for the employer to initiate the training programme of the Petitioner.

8. **Pending Civil Application, if any, stands disposed off.**

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE , J.)

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