

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 13991 OF 2024

Chetankumar S/o Rajendra Thakur ...Petitioner
Versus
The State Of Maharashtra And Ors ...Respondents

Mr. Sushant C. Yeramwar for the Petitioner.
Mr. V. M. Mali, AGP for the Respondent Nos. 1 to 3-State.

**CORAM : RAVINDRA V. GHUGE &
M. M. SATHAYE, JJ.**

DATE : 14th OCTOBER, 2024.

P.C.:-

1. Heard the learned Advocate for the Petitioner and the learned AGP on behalf of the Respondent-State.

2. The Petitioner's claim of belonging to 'Thakur Scheduled Tribe' category, is pending validation with the competent Committee. He has already been appointed by Respondent No. 3 and he is in employment, on probation. He is likely to be terminated on account of failing to tender the validity certificate, when the proceedings are pending adjudication since 08/05/2024.

3. Considering the law laid down in *Chairman and Managing Director, Food Corporation of India and others Vs. Jagdish Balaram Bahira*

and others, 2017 AIR SC 3271, the Petitioner would not be entitled for service benefits until his claim is validated.

4. We, therefore, direct the Petitioner to tender an affidavit undertaking setting out his email address and Whatsapp number, for easy correspondence and an undertaking that he would not claim regularization in service / increments / pay fixation / promotion/service benefits of any nature whatsoever, etc. until his claim is validated either by the Committee or this Court.

5. Let the above stated affidavit undertaking be tendered in this Court and to Respondent No. 3, within three weeks from today. On the condition of filing such affidavit undertaking, Respondent No. 3 shall not terminate the services of the Petitioner only for a reason that his claim is pending validation.

6. The Petitioner shall render wholehearted co-operation to the Committee in the pending proceedings. The Committee shall decide the said proceedings, on or before 31/03/2025,

7. With the above directions, **this Writ Petition is disposed off.**

(M. M. SATHAYE, J.)

(RAVINDRA V. GHUGE, J.)