



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.15332 OF 2024

Ganesh Vishnupant Sonawane

...Petitioner

Versus

State Of Maharashtra

Thr Its Secretary And Ors.

...Respondents

...

Adv. R. K. Mendadkar a/w Priyanka Shaw, Siddhi Sawai & Jaishree Mendadkar for the Petitioner.

Adv. A. I. Patel, Add. AG a/w M. S. Bane, AGP for Respondent Nos. 1 to 3.

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CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.

DATE : 2nd DECEMBER, 2024

Per Court :-

1. The Petitioner is aggrieved by the order dated 27th September, 2022 passed by the Competent Committee, by which the Petitioner has not been granted a Validity Certificate belonging to the Koli Mahadev Scheduled Tribe category.

2. The Petitioner is in employment of Respondent No. 3 as a Talathi. It is claimed that three distant cousins, namely Dattatray, Kailas and Vishnu (who are sons of Shankar and grand sons of Ganpat), as well

as Akshay, who is the son of Dattatray, have been granted Validity Certificates by the Committee. He, therefore, prays for protection.

3. The learned AGP submits that in all these cases of Validity Certificates granted by the Committee, the vigilance cell inquiry was not conducted, which was conducted in the case of the Petitioner and it was found that the Petitioner does not belonging to the Koli Mahadev Scheduled Tribe category.

4. **Issue notice to the Respondents** returnable on **27th January, 2025**. The learned AGP waives service of notice on behalf of Respondent Nos. 1 to 3. The learned AGP submits that Affidavit-in-reply would be filed. Let such Affidavit-in-reply be filed on or before 18th January, 2025.

5. In so far as the protection to the Petitioner is concerned, we direct the Petitioner to file an Affidavit undertaking stating therein that he will not be entitled to further increments/pay revision/promotion/any service benefits etc. until his claim is validated by this Court. Let such Affidavit undertaking be filed on or before 20th December, 2024 in this Court, as well as with Respondent No. 3. On the condition of filing such Affidavit undertaking, we direct Respondent No. 3 not to terminate the

service of the Petitioner only for the reason that his claim has been invalidated.

6. All office objections to be removed, on or before 7th January, 2025, failing which, the Petition would stand dismissed without reference to the Court, on 8th January, 2025.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)