

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

WRIT PETITION NO. 18841 OF 2024

Smt. Shilpa Jay Wagh @
Kum. Pushpa Pandurang Thakur ... Petitioner

versus

State of Maharashtra and Others ... Respondents

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Ms.Komal Gaikwad i/b. Mr.R.K.Mendadkar for the Petitioner.
Mr.B.V.Samant, Addl.GP with Smt.V.R.Raje, AGP for Respondent Nos.
1 and 2-State.

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

DATE : 16TH DECEMBER, 2024

P.C.:

1. It is contended by the Petitioner that her biological brother has been granted 'Thakur' Scheduled Tribe validity certificate. Her claim has been rejected by order dated 8th November, 2024. She is in employment and she is likely to be terminated, since she was selected and appointed on a post that was reserved for the Scheduled Tribe category.

2. **Issue notice to the Respondents**, returnable on **4th February, 2025**. The learned Addl.GP waives service of notice on behalf of

Respondent Nos. 1 and 2, State.

3. The Petitioner shall tender an affidavit undertaking in this Court, on or before 7th January, 2025 and copy be supplied to Respondent No.3 within the same timeline, stating therein that she will not be entitled for any increments/ revision in pay scale/ promotion/ salary benefits etc., until her claim is validated by this Court.

4. On the condition of filing such affidavit undertaking, we direct the employer not to terminate the service of the Petitioner, only because her claim has been invalidated.

(ASHWIN D. BHOBE,J.)

(RAVINDRA V. GHUGE, J.)