



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

WRIT PETITION NO. 6347 of 2024

Santosh Sheshrao Nikhare

vs.

The Deputy Director and Membere Secretary, Scheduled Tribe Caste Certificate
Scrutiny Committee, Yavatmal and another.

Mr. A. P Tathod, Advocate for petitioner.

Mr. A. S. Fulzele, Additional Government Pleader for respondent no. 1.

CORAM :- NITIN W. SAMBRE AND MRS. VRUSHALI V. JOSHI, JJ.

DATE :- 22nd OCTOBER, 2024

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Heard.

2. The petition is not pressed to the extent of challenging the impugned order dated 22.09.2024, thereby tribe claim of the petitioner as that of belonging to 'Halba' Scheduled Tribe came to be negated.

3. Mr. Tathod, learned counsel appearing for the petitioner, would invite our attention to the fact that the petitioner having rendered almost 35 years of service. According to him, the existing policy of the government mandates that, in such an eventuality, the service of the petitioner can be taken on supernumerary post. He has drawn support from the mandate provided in Government Resolution dated 21.12.2019.

4. In view of above, we dispose of the petition.

5. We direct the respondent-Management to maintain status quo till the prayer of the petitioner for absorption him in service on supernumerary post is decided. Let the decision be taken expeditiously and in any case within a period of four months from the date of production of copy of this order.

7. We dispense with the notice to the respondent-Management as the order passed is innocuous.

8. In case, if the order passed is adverse to the interest of the petitioner, the Management shall not give effect to the same for the period of two weeks from the date of order.

(VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)

Andurkar.