



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

948 WRIT PETITION NO. 10083 OF 2025

YOGESH NARAYAN PERKE

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...

Mr. Sunil M. Vibhute – Advocate for Petitioner

Mr. R.K. Ingole – AGP for Respondent Nos.1 and 2, State

...

CORAM : MANISH PITALE &
 Y. G. KHOBRAGADE, JJ.

DATE : 12.08.2025

PER COURT :

1. Heard learned Counsel for the petitioner.

2. We find that in the facts of the present case, wherein limited relief is sought by the petitioner, service of notice upon respondent Nos.3 and 4 can be dispensed with. Accordingly, notice on respondent Nos.3 and 4 is dispensed with.

3. The learned A.G.P. appears for respondent Nos.1 and 2, State.

4. Learned Counsel for the petitioner submits that the tribe claim of petitioner is pending before respondent No.2 – Scrutiny Committee. It is further brought to the notice of this Court as per the appointment order dated 07.08.2024 issued in favour of the petitioner for appointing him in

the post of 'Staff Nurse', he is required to produce caste validity certificate within six months from the date of appointment.

5. It is further brought to the notice of this Court that although the tribe claim of the petitioner is pending, recently on 09.07.2025, the employer has issued notice to produce the validity certificate failing which adverse action would be taken against the petitioner.

6. In view of the above, we dispose of this petition by directing respondent No. 2 – Scrutiny Committee to decide the tribe claim of the petitioner as expeditiously as possible and in any case within six (6) months from today.

7. Upon the petitioner filing an undertaking before this Court within two weeks from today that during the pendency of the proceedings before the respondent No. 2 – Scrutiny Committee, he shall not claim any service benefits such as confirmation, promotion, increments, pay fixation, etc., no adverse action shall be taken against the petitioner in respect of his service.

8. A copy of the said undertaking on affidavit shall also be furnished before the employer within two weeks from today.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)