

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11312 OF 2024

Ramhari Yallu Pillai

VERSUS

The State Of Maharashtra Through The Principal Secretary And
Others

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Advocate for the Petitioner : Mr. Jadhav Hanumant P.

AGP for Respondent/State : Mr. S.V. Hange

Advocate for Respondent Nos.3 to 6 : Mr. Salve Avinash Rangnathrao

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**CORAM : S.G. MEHARE &
SHAILESH P. BRAHME, JJ.**

DATED : JANUARY 14, 2025

PER COURT :

1. Heard both sides.
2. Learned counsel for the petitioner and learned counsel Mr. Salve for respondent nos.3 to 6, who are contesting parties have arrived at amicable settlement. They pray to dispose of the writ petition in view of their settlement.
3. The petitioner was appointed on compassionate appointment on 14.10.2003 as a lineman. Thereafter, respondent nos. 3 to 6 insisted for submitting validity certificate. Though the petitioner was not appointed against the reserved category, he was constrained to approach the respondent/committee. The respondent no.2 – Scrutiny Committee invalidated the tribe certificate vide order dated 27.07.2022. Due to invalidation, the petitioner was terminated from services on 29.02.2024. Present petition is filed against the

order of termination as well as the order passed by the Scrutiny Committee invalidating the tribe certificate of the petitioner.

4. Learned counsel for the petitioner tenders on record an affidavit disclosing that his appointment was made on compassionate ground and he would not claim any benefit of reservation. The affidavit is taken on record and marked as 'Exhibit-X'.

5. Learned counsel Mr. Salve appearing for respondent nos.3 to 6 on instructions, submits that his client would have no objection if the termination order is quashed and set aside and the petitioner is reinstated in services without any back-wages. As there is unanimity for quashing the order of termination and reinstating the petitioner, we find that the petition can be disposed of in view of consensus arrived at between the parties. We therefore pass the following order :

ORDER

- (i) Writ Petition is allowed partly in terms of the settlement.
- (ii) The order of termination dated 29.02.2024 is quashed and set aside and the respondent nos.3 to 6 shall reinstate the petitioner to the post of helper/lineman. However, the petitioner shall not be entitled to the back-wages.

(SHAILESH P. BRAHME, J.)

(S.G. MEHARE, J.)