



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

70 WRIT PETITION NO. 8988 OF 2025

Rajesh Ratan Reddy

VERSUS

The State Of Maharashtra Through The Principal Secretary And Others

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Mr. Jadhav Hanumant P, Advocate for the Petitioner

Mr. S.V. Hange, AGP for Respondents State

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CORAM : **MANISH PITALE &**
Y. G. KHOBRADE, JJ.

DATE : **18th August, 2025**

P. C. :

1. The petitioner has approached this court on the basis of show cause notice dated 19.05.2025 issued by Respondent No.3, stating that the service of the petitioner shall be terminated unless the tribe validity certificate is produced within seven days. It is stated on behalf of the petitioner that he still continues to be in service despite the aforesaid show cause notice.

2. In this backdrop, the petitioner is not only seeking setting aside of the said show cause notice but, a further prayer is made for direction to Respondent No.2 Scrutiny Committee to decide the tribe claim of the petitioner within a stipulated period of time.

3. It is relevant to note that on an earlier occasion also, by filing Writ Petition No. 6244 of 2024, this very petitioner had approached this Court with similar/identical relief. It was recorded that the

proposal for verification of the tribe claim of the petitioner itself was full of deficiencies and in that backdrop, this court, while disposing of the said petition, issued the following directions:

"3. In view of the above, this Writ Petition is disposed off with the following directions:

- a) The Petitioner shall approach the committee at Aurangabad on 08.07.2024 at 12.00 noon. He shall note the deficiencies in the proposal and cure the deficiencies within 30 days.
- b) If the above direction is not complied with, the proposal of the Petitioner would be rejected and the Petitioner would be liable to suffer the consequences.
- c) Subject to the above, the Petitioner would tender his e-mail address and his WhatsApp cell number to the committee in his own handwriting, for easy correspondence. If the e-mail address or the cell number is wrong, the committee would not be responsible and would be at liberty to progress to the next stages in the proceeding.
- d) The committee shall decide the claim of the Petitioner, on or before 31.03.2025.
- e) The Petitioner shall file an affidavit undertaking within 21 days, that he would not be entitled for further increment / pay fixation / promotion / service benefits including post service benefits (retiral) etc., until his claim is validated by the Committee or the Court, as the case may be.

4. The learned advocate for the Petitioner submits on instructions that the Petitioner is agreeable with the above conditions and would abide by the same. However, his service may be protected until the claim is validated. The said request

is accepted and we direct the Company not to terminate the service of the Petitioner in view of the above directions. A copy of the affidavit undertaking shall also be tendered to the employer, within 21 days, setting out the above statement that he will not be eligible for increment / pay fixation / promotion / service benefits including post service benefits (retiral) etc."

4. According to the petitioner, the deficiencies have been cured and the proposal for verification of the tribe claim of the petitioner is still pending before Respondent No.2 Scrutiny Committee. We would like to examine this petition and to understand as to whether the petitioner has indeed cured the deficiencies. We would also like to examine the role of the employer i.e. Respondent Nos. 3 to 5 from the angle of long pendency of the tribe claim of the petitioner before Respondent No.2 Scrutiny Committee and as to what steps the employer has taken till date with regard to the curing of the said deficiencies in the proposal. It is only thereafter that this court would be able to issue appropriate direction to ensure that the tribe claim of the petitioner is decided at the earliest.

5. We have gathered a prima facie impression that the petitioner is delaying the proceedings before Respondent No.2 Scrutiny Committee on the one hand and on the other hand, rushing to this court to seek protection from termination of service on the ground of failure to produce validity certificate.

6. We cannot permit such a petitioner to file petition after petition in such circumstances.

7. In view of the above, issue notice to the respondents, returnable on 15.09.2025. Learned AGP waives notice on behalf of Respondent Nos. 1 and 2.

8. Additionally, the Petitioner is permitted to serve Respondent Nos. 3, 4 and 5 by way of private service and to file an affidavit of service before the next date of listing.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)

JPChavan