

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5120 OF 2025

Shailaben Bhattu Nikam

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. R.K. Mendadkar, Advocate for the Petitioner.

Mr. P.P. Kakade, Addl. G.P. a/w Ms. P.N. Diwan, AGP for
Respondent Nos.1 to 3/State.

CORAM : RAVINDRA V. GHUGE

&

ASHWIN D. BHOBE, JJ.

DATE : 6th MAY, 2025

P.C. :-

1. Though the claim of the Petitioner for seeking a validity with reference to the 'Tokre Koli' Scheduled Tribe Category was pending, no efforts were taken to pursue the matter. Since an notice was issued by the Employer on 26th March 2025, seeking production of the validity certificate or face termination, the Petitioner has approached this Court with a prayer for a decision on the pending claim.

2. The learned Advocate for the Petitioner submits that since the Petitioner is in Employment, her service may be protected

and she will wholeheartedly cooperate in the decision making process by the Nashik Committee. She will also tender an affidavit undertaking declaring that she will not claim increment/pay revision/further pay fixation/promotion/service benefit, etc. until her claim is validated, either by the Committee or by the Court. With this, she seeks protection of her service.

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

(a) The Petitioner shall tender an affidavit undertaking, as noted above, in this Court within a period of 21 days from today, and a copy be tendered to the Employer, Respondent No.4 herein, within the same time mentioning the above stated conditions in the undertaking.

(b) The Petitioner tenders her E-mail address and WhatsApp Number for easy correspondence, herein below :-

E-mail Address : shailagawari77@gmail.com

WhatsApp No. : 9588431463

(c) The Petitioner agrees to enter into correspondence with the Nashik Committee on the E-mail address/WhatsApp.

(d) The Petitioner shall not seek adjournments on unreasonable or trivial grounds, lest, the Committee would be justified in progressing to the further stages in the proceedings.

(e) Let the Committee decide the claim of the Petitioner, on or before 31st December, 2025.

3. On the condition of tendering the affidavit undertaking, Respondent No.4 would not terminate the service of the Petitioner only for the reason that she does have a validity certificate.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)