



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

WRIT PETITION NO.4179 OF 2017

Pramod s/o Vithalrao Ital, Vinayak Nagar, Amravati

-VS-

State of Maharashtra, Thr. Secretary, Dept. of Education, Mantralaya, Mumbai and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri Anil Mardikar, Senior Advocate with Shri Kunal Pande, Advocate for
petitioner.

Shri H. D. Marathe, Assistant Government Pleader for respondent Nos.1 and 2.

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

DATE : March 11, 2025

1. Leave to amend so as to add the Management as respondent with whom the petitioner's services are absorbed. Amendment be carried out forthwith.
2. Since the order proposed to be passed is innocuous, notice on newly added respondent-Management is dispensed with.
3. The fact remains that the petitioner has given up his challenge to the claim for 'Halba' Scheduled Tribe which led to incorporation of the caste of the petitioner as 'Koshti' Special Backward Class in the service-book.
4. Our attention is invited by the learned Senior Advocate Shri Anil Mardikar to the validity certificate of 'Koshti' SBC held by the petitioner. According to him, the petitioner in view of the aforesaid document is already continued in service.
5. In the aforesaid background, it will be appropriate in our opinion

to direct the newly added respondent-Management to consider the claim of the petitioner for continuation of his services till superannuation from SBC category as the petitioner holds validity for the said purpose. The consideration of the claim of the petitioner for protection of services shall be in the backdrop of the policy of the State Government as reflected in various Government Resolutions which shall be provided by the petitioner to the said respondent-employer.

6. Let the reasoned decision taken about protection of services be communicated to the petitioner within a period of four months from today.

7. In case if the decision is adverse to the interest of the petitioner, it shall be open for him to approach afresh before this Court.

8. Since the petitioner is continued in employment since 1999, his services shall not be disturbed for a period of six months from today.

9. With aforesaid directions, the writ petition is disposed of. No order as to costs.

(Mrs Vrushali V. Joshi, J.)

(Nitin W. Sambre, J.)