

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

928 WRIT PETITION NO. 4004 OF 2026

SHIVRAJ BALASAHEB TALWARE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...
Mr. Pratap V. Jadhavar, Advocate for the petitioner.
Mr. S.P. Sonpawale, A.G.P. for respondents-State.
...

**CORAM : SANDIPKUMAR C. MORE AND
ABASAHEB D. SHINDE, JJ.**

DATED : 17 APRIL 2026.

Final Order (Per Abasaheb D. Shinde, J.) :

1. Heard learned counsel for the petitioner and the learned A.G.P.
2. This is a second round of litigation that the petitioner is required to approach this Court for similar prayers of seeking direction to the respondent-Scrutiny Committee to decide his tribe claim.
3. This Court, on earlier occasion by judgment and order dated 23.01.2026 while directing respondent Scrutiny Committee to decide the tribe claim of the petitioner within a period of three months, have also directed the employer of the petitioner to issue provisional appointment order to the post of

Shikshan Sevak subject to outcome of the proceedings of his tribe claim. It appears that the petitioner has been given provisional appointment.

4. Learned counsel for the petitioner submits that the direction issued by this Court in order dated 23.01.2026 has been misconstrued by the employer as if the protection to the service of the petitioner is only upto 22.04.2026. As such, the employer of the petitioner has issued the impugned communication dated 24.03.2026 by which the petitioner has been directed to produce the tribe validity certificate, failing which the action has been contemplated against the petitioner.

5. In that view of the matter, we find that since the tribe claim of the petitioner is still pending for which the petitioner cannot be faulted with, we direct the respondent Scrutiny Committee to decide the tribe claim of the petitioner as a last indulgence, within a period of three months from today, failing which this Court will be constrained to take out contempt proceedings against the respondent-Scrutiny Committee.

6. In peculiar facts and circumstances, till the tribe claim of the petitioner is decided within a period of three months as

directed, the employer of the petitioner shall not take any coercive action against the petitioner on the ground of non submission of validity certificate. We again make it clear that the protection granted today will operate only till the period the tribe claim of the petitioner is decided.

7. In view of above, the writ petition stands disposed of.

(ABASAHEB D. SHINDE)
JUDGE

(SANDIPKUMAR C. MORE)
JUDGE