

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 9354 OF 2021**

Sandip s/o Shamrao Thakur ...Petitioner  
vs.  
The State of Maharashtra and Anr. ...Respondents

Mr. Yeramwar S. C.- Advocate for the Petitioner.  
Mr. S. L. Babar - AGP for the Respondent-State.

**CORAM :** PRASANNA B. VARALE &  
S. M. MODAK, JJ.

**DATE :** 22<sup>nd</sup> DECEMBER, 2021

**PER COURT:-**

- . Heard the learned counsel for the Petitioner.
2. The order of Respondent No. 2- Scrutiny Committee is under challenge. This is one of such series of orders wherein this Court found that the Committee though the claimants Petitioners submitted the documents of pre-independence era in support of their claim the committee mechanically only considered the contra material and refused to assess the pre-independence era document on the ground that the Petitioner failed to prove the affinity test.
3. The counsel for the Petitioners submits that the Petitioner is working in the services of Respondent No. 3 and he had entered in the service in the year 2009.
4. The counsel further submits that in pursuant to the order of

the Scrutiny Committee the employer Respondent No. 3 may take an action prejudicial to the interest of the Petitioner service career.

5. Thus, on this submissions, the counsel for the Petitioner prayed for an interim order.

6. In view of the above, the Registry is directed to issue notice to the respondents returnable within 8 weeks.

7. Mr. S. L. Babar, learned AGP waives service of notice on behalf of Respondent Nos. 1 and 2

8. The learned counsel for the petitioner is at liberty to serve rest of the Respondent No. 3 by any legally permissible mode of service and file an affidavit-of-service to that effect before the returnable date.

9. The learned counsel for the Petitioner made out a case for interim order.

10. By way of interim relief, we direct Respondent No.3 not to take any coercive action in pursuance of the order of the Scrutiny Committee till the next date.

11. Stand over to **23<sup>rd</sup> February, 2022.**

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)