

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**ORIGINAL APPLICATION NO 495 OF 2007**

**DISTRICT : MUMBAI**

Shri Suresh Motiram Raikohad, )  
Occ : Service Working as Pharmacist )  
R/at Ashtavinayak Park, Room No. 11, )  
Vijay Nagar, Kalyan [E], Dist-Thane )...**Applicant**

**Versus**

The State of Maharashtra )  
Through the Dean, )  
Sir J.J Group of Hospitals, Byculla, )  
Mumbai 400 008. )...**Respondent**

Applicant Shri S.M Raikohad in person.

Smt Kranti S. Gaikwad, learned Presenting Officer for  
the Respondents.

**CORAM : Shri Rajiv Agarwal (Vice-Chairman)**

**Shri R.B. Malik (Member) (J)**

**DATE : 11.04.2016**

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**PER : Shri Rajiv Agarwal (Vice-Chairman)**

**ORDER**

1. Heard Applicant Shri S.M Raikohad in person and Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondent.

2. This Original Application was filed by the Applicant challenging termination of services by order dated 3.8.2007 with effect from 1.9.2007, if he failed to submit Caste Validity Certificate. As the Applicant failed to do so, his services were terminated. The Applicant's prayer for interim relief was rejected by this Tribunal by order dated 27.11.2007. The Applicant was given liberty to seek circulation of this Original Application as and when the Caste Scrutiny Committee decided his Tribe claim.


3. This Original Application came for further hearing before us on 9.2.2016, when Learned Advocate Shri K.R Jagdale stated that his attempt to contact the Applicant has remained unsuccessful. A notice was issued by this Tribunal to the Applicant to remain present on 8.3.2016 for further hearing by registered post. The Applicant has received this notice, and he remained present for hearing. The Applicant claimed that

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the matter regarding his Tribe Validity Certificate is still pending before the concerned Scrutiny Committee.

4. We find that the Applicant has not been able to produce the Tribe Validity Certificate though he filed this Original Application in 2007, and was given liberty to seek circulation of this Original Application as and when the Scrutiny Committee decided his Tribe claim. The Applicant stated that he has not approached the Scrutiny Committee to grant him Caste Validity Certificate. Though, almost 9 years have passed, the Applicant has not made any efforts to submit Caste Validity Certificate.

5. In the circumstances, we have no alternative but to hold that the Applicant has failed to produce Caste Validity Certificate, though this Original Application was adjourned sine die by this Tribunal by interim order dated 27.11.2007 to enable him to produce the Caste Validity Certificate. The Applicant has admittedly not made any efforts to obtain Caste Validity Certificate. No purpose will be served by keeping this Original Application pending. The Applicant has no ground to challenge the orders dated 4.6.2007, 18.7.2007 and 13.8.2007. His services have already been terminated w.e.f 1.9.2007.



5. Considering all the facts and circumstances of this case, this Original Application is dismissed with no order as to costs.

Sd/-

**(R.B. Malik)**  
**Member (J)**

Sd/-

**(Rajiv Agarwal )**  
**Vice-Chairman**

**Place : Mumbai**

**Date : 11.04.2016**

**Dictation taken by : A.K. Nair.**