

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

WRIT PETITION NO. 9024 OF 2014

Jyoti Bholenath Gaikwad

... Petitioner

v/s

State of Maharashtra & ors.

... Respondents

Mr.R.K. Mendadkar along with Ms.Helen Koli for the petitioner.

Ms.S.S. Bhende, A.G.P for respondent Nos.1, 2 and 5.

Mr.Milind Deshmukh for the respondent Nos.3 and 4.

***CORAM: SMT. VASANTI A. NAIK &
SHRI C. V. BHADANG, JJ.***

DATED : 2ND MARCH, 2015

PC.:

By this petition, the petitioner seeks a direction to the respondent Scrutiny Committee to decide the caste claim of the petitioner within a time frame. The petitioner seeks a direction to the respondents to pay the salary of the petitioner till her caste claim is decided.

It is stated on behalf of the petitioner that, despite the order in Writ Petition No.8445 of 2013, the Scrutiny Committee has not decided the caste claim of the petitioner. It is stated that the concerned respondents have also not paid the salary to the petitioner for the period from the year 2009.

Ms.Bhende, the learned Assistant Government Pleader appearing for the Scrutiny Committee states that the caste claim of the petitioner is pending before the Scrutiny Committee and the same would be decided within a period of six weeks.

By accepting the statement made on behalf of the respondent Scrutiny Committee, we dispose of the writ petition with a direction to the Scrutiny Committee to positively decide the caste claim of the petitioner within a period of six weeks. Since the petitioner has filed the writ petition on 15th September, 2014, the petitioner would be entitled to the arrears of salary for a period of three years preceding the date of filing of the writ petition. We, therefore, direct the management to send the salary bills of the petitioner for the period from October, 2011 till date to the respondent No.5 Education Officer so that the arrears of salary of the petitioner for the period from October, 2011 till date could be released. We direct the respondents to pay the regular salary to the petitioner till her caste claim is decided. The arrears of salary may be paid to the petitioner within a period of four weeks. The respondent management should submit the salary bills of the petitioner within a period of 10 days and the respondent No.5 should pay the salary within a period of three weeks therefrom.

Order accordingly. No costs.

(C. V. BHADANG, J.)

(VASANTI A. NAIK, J.)