

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5920 OF 2014**

Rakesh Arun Ahire
Versus
State of Maharashtra & Ors.

....Petitioner.
...Respondents.

Mr. C.K.Bhangoji i/by R.K.Mendadkar, advocates for the Petitioner.
Ms. S.S.Bhende, AGP for the respondent nos.1 to 3-State.
Ms. Pragati Sarke i/by Vishal Tambat, advocates for the respondent nos.4 and 5.

**CORAM : SMT. VASANTI A.NAIK
& SMT. MRIDULA BHATKAR, JJ.**

DATED : March 12, 2015.

P.C.:

By this petition, the petitioner seeks a direction to the scrutiny committee to decide the caste claim of the petitioner. The petitioner also seeks a direction to the concerned respondents to pay the arrears of salary and regular salary to the petitioner till his caste claim is decided.

Ms. Bhende, the learned Associate 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 as early as possible.

In view of this statement made by the learned AGP, we dispose of the petition with a direction to the scrutiny committee to decide the caste claim of the petitioner as early as possible and positively within a period of nine months from the date of appearance of the petitioner before the scrutiny committee. The petitioner undertakes to appear before the scrutiny committee on 30.3.2015.

Since the petitioner was not at fault in not producing the caste validity certificate, the respondents would be liable to pay salary to the petitioner for the period during which he has worked, as the school in which the petitioner is working, is a Government aided school. Hence, we direct the respondent management to submit the salary bills of the petitioner to the education officer, if not submitted earlier, within a period of 15 days and the education officer is directed to pay the arrears of salary to the petitioner within a period of one month from the date of receipt of the salary bills. The respondents should permit the petitioner to render the services and continue to pay the regular salary of the petitioner till his caste claim is decided.

Order accordingly. No order as to costs.

(MRS.MRIDULA BHATKAR, J.)

(MRS. VASANTI A.NAIK, J.)