

Sequeira

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

WRIT PETITION NO. 6033 OF 2014.

Jitendra Sudhakar Ahire.

.. Petitioner

Vs.

State of Maharashtra & ors.

.. Respondents

Mr.C.K.Bhangoji i/by Mr.R.K.Mendadkar, for the petitioner.

Mr.C.P.Yadav, Assistant Government Pleader, for the respondent
Nos.1 to 3.

***CORAM: Smt. Vasanti A. Naik &
Shri C.V.Bhadang JJ.
Friday 20 February, 2015.***

PC.:

By this petition the petitioner seeks a direction to the respondents-Scheduled Tribe Caste Certificate Scrutiny Committee Nashik Division, to decide the caste claim of the petitioner within a time frame. The petitioner also seeks a direction to the Education Officer and the respondent – management to release the salary of the petitioner till his caste claim is decided.

Shri Yadav, learned Assistant Government Pleader appearing on behalf of 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 the statement made by the learned Assistant Government Pleader, we dispose of the Writ 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 3rd March 2015. Since the petitioner was not at fault in not producing the caste validity certificate, we direct the respondent No.5 to submit the salary bills of the petitioner to the respondent No.3 for the payment of salary and its arrears till the caste claim is decided. The salary bill should be submitted by the respondent No.5 to the respondent No.3 within a period of 15 days, if not submitted earlier. If the salary bills of the petitioner are already received by the respondent No.3, the respondent No.3 should immediately release the arrears of salary and also pay the regular salary to the petitioner till his caste claim is decided. If the salary bills are not yet received by the respondent No.3 from the management, the respondent should pay the arrears of salary to the petitioner within a period of three weeks from the date of receipt of the salary bills.

Order accordingly. No costs.

(C.V.Bhadang J.)

(Vasanti A.Naik J.)