

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7921 OF 2015

Milind Bhimsingh Shirsat .. Petitioner

Versus

State of Maharashtra & Ors. .. Respondent

Mr. S. A. Ghaisas, Advocate for the petitioner.

Mr. V. N. Sagave, AGP for R. Nos. 1 & 2.

CORAM:-ANOOP V. MOHTA &

V. L. ACHLIYA, JJ.

DATED : -14/08/2015

ORDER:

Rule. Returnable forthwith. By consent of the parties, taken up for final hearing.

2 In view of the limited prayers made in the petition to direct the respondent No. 2 Caste Scrutiny Committee to expedite the process of verification of case certificate lodged with the the respondent No. 2 Caste Scrutiny Committee, we are inclined to dispose of the petition without advertng to the merits of the matter.

3 The learned AGP, on instructions from the respondent No. 2 Caste Scrutiny Committee, submits that the report of vigilance

inquiry is already received in the matter and same has been sent to the petitioner for offering his explanation. According to the communication received, the response of the petitioner to the vigilance report is yet to be received. The respondent No. 2 Caste Scrutiny Committee has kept the matter for hearing on 25/8/2015.

4 In view of the statement made by the learned AGP, we are inclined to dispose of the petition with following direction.

ORDER

- i) The petitioner is directed to file response to the vigilance report officer by personally appearing before the Committee on 25th August, 2015 and further to participate in the inquiry on the further dates, if any to be fixed by the Committee.
- ii) The respondent No. 2 Caste Scrutiny Committee is directed to expedite the hearing of the caste claim of the petitioner and pass appropriate order in the matter as early as possible, preferably within three months from

the date of passing of this order.

iii) The petitioner is directed to cooperate in expeditious disposal of the claim by the Committee.

iv) In the meantime the respondent No. 3 College is directed not to take any coercive action as mentioned in letter dated 17/4/2015 till the caste claim of the petitioner is decided by the the respondent No. 2 Caste Scrutiny Committee and thereafter for a period of four weeks, if any order is passed adverse to the interest of the petitioner.

v) Respondent No. 3 is directed to provisionally declare the result of the petitioner. It is clarified that the declaration of the result shall be subject to outcome of the decision by the Caste Scrutiny Committee.

5 With this order and direction, the petition is disposed of with no order as to costs.

6 Rule made absolute in above terms.

(V. L. ACHLIYA, J.)

(ANOOP V. MOHTA, J.)

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