

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.1077/2015

Ku. Sanjaya w/o Wasudeo Narkhede
(Sau. Sanjaya Warhade)

...Versus...

State of Maharashtra, through its Secretary, Social Welfare, Mantralaya,
Mumbai -32 and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri P.S. Kshirsagar, Advocate for petitioner
Ms N.P. Mehta, AGP for respondent nos.1 to 3

CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.

DATE : 25.08.2015

Heard.

The learned Counsel for the parties state that the issue involved in this case was also involved in Writ Petition No.2411/2014 and this Court has by the judgment dated 19.8.2014 partly allowed the writ petition and directed the Scrutiny Committee to decide the caste claim of the petitioner in the said writ petition within a period of four months. It is stated that the Tahsildar was directed in the said writ petition to send the proposal of the petitioners therein to the Scrutiny Committee within a period of two weeks. It is stated that a similar order may be passed in this case also.

In view of the submission made by the learned Counsel for the parties and on a perusal of the judgment dated

19.8.2014 in Writ Petition No.2411/2014, we partly allow this writ petition for the reasons recorded in the judgment dated 19.8.2014. We hereby direct the respondent – Tahsildar to send the caste claim of the petitioner to the respondent – Scrutiny Committee within a period of two weeks. We direct the respondent no.2 – Scrutiny Committee to decide the caste claim of the petitioner in accordance with law within a period of four months from the date of appearance of the petitioner before the Scrutiny Committee. The petitioner undertakes to appear before the Scrutiny Committee on 22.09.2015 so that the issuance of notice to the petitioner could be dispensed with. It is hereby directed that no action should be initiated against the petitioner for his disqualification for not producing the caste validity certificate till the caste claim of the petitioner is decided by the respondent – Scrutiny Committee.

Order accordingly. No costs.

JUDGE

JUDGE

Wadkar