

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.Writ Petition No. 1602 of 2013

Milind s/o Ganpatrao Santa

v.

The Superintendent of R.M.S. (Rly. Mail Service), Mumbai Sorting Division, Mumbai & ors.

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

Court's or Judge's orders

**Coram : B.P Dharmadhikari &
S.B. Shukre, JJ.**

Date : 18th April, 2015.

Heard Advocate Parsodkar for the petitioner, learned A.S.G.I for respondents 1 and 2 and Advocate Smt. Dangre for respondent no. 3.

2. Challenge is to the communication dated 4.8.2011 at Annexure-X by which employer of the petitioner, i.e. respondent no. 1, has asked him to approach respondent no. 3 directly for seeking validity of caste certificate. The petitioner claims to belong to "Halba- Scheduled Tribe" and has been appointed on 22.11.1996. A Departmental Enquiry for not co-operating with the employer has been initiated against him.

3. This Court issued notice in the matter on 21.3.2013 and thereafter on 18.4.2013 granted protection to the petitioner by

permitting the employer to proceed further in the Departmental Enquiry, but with a direction not to give effect to the order of punishment, if any. This interim order continues to operate even today. In this situation, we direct the petitioner to submit necessary documents to his employer within a period of three weeks from today. After receipt of those documents, respondent no. 1 shall forward the same to respondent no. 3 within a further period of four weeks. The Committee shall then proceed to verify the caste claim of the petitioner in accordance with law and shall attempt to complete it within next one year.

4. The order of this Court dated 18.4.2013 shall continue till the completion of verification proceedings. Prayer for protection of service by petitioner shall be considered thereafter, if occasion arises therefor. Writ petition accordingly stands disposed of. No costs.

Judge

Judge

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