

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 1771 /2015

(Vishal Dada Gharat vs. Scheduled Tribes Scrutiny Committee Gadchiroli and others)

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

Court's or Judge's order

Shri R.D. Murkute, Advocate for the petitioner
Shri N.S. Khubalkar, Assistant Govt. Pleader for Respondent No.1

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

DATED : 7th October, 2015.

Heard.

By this Petition, the petitioner seeks a direction to the respondent no.1-Scrutiny Committee to decide the tribe claim of the petitioner within a time-frame. The petitioner also seeks protection of his education till the tribe claim is decided. It is stated on behalf of the petitioner that the tribe claim of the petitioner is pending before the respondent no.1-Scrutiny Committee and the College and the University had threatened to cancel the admission of the petitioner in the absence of the validity certificate as the petitioner was admitted on a seat reserved for the Scheduled Tribes.

Shri N.S. Khubalkar, the learned Assistant Government Pleader appearing on behalf of the respondent no.1-Scrutiny Committee has filed an affidavit-in-reply, stating that the caste claim of the petitioner is pending before the Scrutiny Committee and since certain posts of Superintendent of Police, Police Inspectors and Constables are vacant, the vigilance enquiry cannot be conducted within a reasonable time. It is stated that endeavour is being made to fill up the vacancies and to decide the matter at the earliest.

Since the caste claim of the petitioner is pending with the respondent no.1-Scrutiny Committee, we dispose of the Writ Petition, with a direction to the respondent no.1-Scrutiny Committee to decide the tribe claim of the petitioner as early as possible and, positively within a period of fifteen months. Since the petitioner is not at fault in not producing the caste validity certificate, the education of the petitioner is protected till his caste claim is decided.

Order accordingly. No costs.

JUDGE

JUDGE

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