

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 2527/2015

(SUNIL RAMESH SHRIRAMWAR **VERSUS** THE STATE OF MAHARASHTRA & OTHERS)

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

Court's or Judge's orders

Shri S.D. Harode, counsel for the petitioner.
 Ms T. Khan, A.G.P. for the R-1 & 4.
 Shri R.D. Bhuibhar, counsel for the R-2 & 3.

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

DATE : SEPTEMBER 7, 2015.

By this petition, the petitioner seeks the protection of his services in view of the judgment of the Full Bench reported in **2015(1) Mh.L.J. 457** (*Arun Vishwanath Sonone Versus State of Maharashtra & Others*).

It is stated on behalf of the petitioner that since the petitioner was appointed on 26.04.1996, i.e. before the cut-off date, on a post earmarked for the Scheduled Tribes, the services of the petitioner are required to be protected.

Shri Bhuibhar, the learned counsel for the respondent nos.2 and 3, states that the services of the petitioner cannot be protected only because the petitioner was appointed before the cut-off date, as in this case, the caste claim of the petitioner is not verified by the scrutiny committee. It is stated that the petitioner had not tendered the necessary documents to the respondents for verification of his caste claim till 07.05.2015.

Since the services of the petitioner cannot be protected without the verification of his caste claim in view of the judgment of the Full Bench and since the petitioner has tendered the requisite documents to the respondent nos.2 and 3 for remitting the same to the scrutiny committee for verification, it would be necessary to direct the scrutiny committee to decide the caste claim of the petitioner within a time frame.

Hence, for the reasons aforesaid, the writ petition is disposed of with a direction to the respondent nos.2 and 3 to remit the caste claim of the petitioner to the scrutiny committee for verification within a period of fifteen days. The scrutiny committee is directed to decide the caste claim of the petitioner within a period of one year from the date of receipt of the same. The services of the petitioner are protected till his caste claim is decided.

Order accordingly. No costs.

JUDGE

JUDGE

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