

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

WRIT PETITION NO. 2490/2015

(Ku. Kavita Madhav Nandanwar (Now Sau. Kavita N. Patil) vs. Deputy  
Director Health Services, Nagpur Circle and another )

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

Court's or Judge's order

.....  
Mr. J.Y. Ghurde, Adv. for petitioner  
Mr. N.S.Rao, Asst. Govt.Pleader for respondent no.1  
Mr. K.P. Sadavarte, Adv.for Respondent No.2

**CORAM : B.R.GAVAI &**  
**INDIRA K.JAIN, JJ.**

**DATED : 15<sup>th</sup> July, 2015.**

Heard.

2. The petitioner, who was appointed in the employment of respondent no.1 against the post reserved for Scheduled Tribe, has approached this Court apprehending her termination on the ground of non-submission of caste validity certificate.

3. As has been observed time and again, it is not in the hands of the petitioner as to within how much time the respondent no.2-Scrutiny Committee will decide the claim of the petitioner. However, on account of respondent no.2 not taking decision regarding the validity of the candidates like the petitioner, the petitioner cannot be made to suffer. In

view of that, the petition is allowed on the following terms :

- i) Respondent No.2- Committee to decide the claim of the petitioner as expeditiously as possible and preferably within six months from today.
- ii) Till the decision of the respondent no.2 Committee on the claim of the petitioner, the services of the petitioner shall not be terminated on the ground of non-submission of caste validity certificate.
- iii) It is further directed that in the event, the decision of respondent no.2- Committee is adverse to the interest of the petitioner, same shall not be given effect for a period of three weeks from the date of receipt of the communication by the petitioner.

**JUDGE**

**JUDGE**

*sahase*