

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

WRIT PETITION NO. 2144 OF 2014

(Shivshankar s/o Tulshiram Nimje vs. The General Manager, Personnel & Industrial
Relations, MSRTC & Anr.)

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 &
A.P. BHANGALE, JJ.
MARCH 03, 2015.**

Heard Mrs. Tiwari, learned counsel for the petitioner, Shri Wankhede, learned counsel for respondent No. 1 and Shri Sadavarte, learned counsel for respondent No. 2.

The caste claim of the petitioner, who entered the employment of Respondent No. 1 in the year 1995, is still not verified. According to the petitioner, the caste claim is already forwarded to Respondent No. 1 – Committee by his employer.

Shri A.S. Chakotkar, Advocate holding for Shri Wankhede, learned counsel for respondent No. 1 – employer submits that those papers are already forwarded to Respondent No. 2 – Committee.

Shri Sadavarte, learned counsel for respondent No. 2 – Committee submits that though the employer claims that the papers have been forwarded vide letter bearing Outward No. 1044 dated 16.02.1995, (a copy of letter No. 839 dated

20.02.2015 is taken on record and marked X for identification), Respondent No. 2 has not received any such communication.

We do not wish to go into this controversy. The petitioner – an employee must have retained with him one set of true copies or photocopies with him. The petitioner shall submit originals available with him and those copies to Respondent No. 1 within a period of two weeks from today. Respondent No. 1 shall within next two weeks forward the same to Respondent No. 2 – Committee.

The petitioner shall appear before Respondent No. 2 – Committee on 12.05.2015. He shall at that time carry with him one more set of papers. The Scrutiny Committee shall thereafter proceed further with verification of caste claim in accordance with the Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance & Verification of) Caste Certificates Act, (Act No. 23 of 2001), on the strength of documents made available. The Scrutiny Committee shall call upon the petitioner to furnish such other information as it finds necessary for the said purpose. The exercise of verification shall be completed within next one year.

Interim order granted by this Court on 28.04.2014 shall continue till then. The claim of the

petitioner for protection of his employment shall be considered thereafter, if occasion therefor arises.

Writ Petition is thus partly allowed and disposed of. However, there shall be no order as to costs.

JUDGE

JUDGE

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