

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

Writ Petition No. 2730 of 2015

Ku. Vaishali d/o Dattatraya Khartadkar

-Vrs.-

The Scheduled Tribe Caste Scrutiny Committee, Nagpur Division,
Giripeth, Nagpur and others.

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

Shri P.N. Shende, advocate for petitioners.

Smt. Bharti Dangre, Advocate for respondent no. 1.

Shri Ghodeswar, AGP for respondent no. 2.

CORAM : B.R. Gavai & Indira K. Jain, JJ.

DATED : 16th JULY, 2015

The petitioner, who was appointed in the employment of respondent no.3 against the post reserved for Scheduled Tribe, has approached this court apprehending her termination on the ground of non submission of caste validity certificate.

2. As has been observed time and again, it is not in the hand of the petitioner as to within how much time respondent no.1 - Caste Scrutiny Committee will decide the claim of the petitioner. However, on account of respondent no.1 not taking decision regarding the validity of the candidates like the petitioner, the petitioner can not be made

to suffer. In view of that, the petition is allowed on the following terms.

- i) Respondent no.1 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.1 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.1 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

Hirekhan