

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

Writ Petition No.3321 of 2015

Shri Sharad s/o Sitaramji Sawarkar

-Vrs.-

Divisional Caste Certificate Scrutiny Committee, Nagpur Division,
Committee No.3, Nagpur and one.

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

Shri S.R. Narnaware, advocate for petitioner.

Shri Thakre, AGP for respondent no.1.

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

DATED : 14th JULY, 2015

The facts in the present case are identical with the facts in bunch of writ petition bearing no. 3729/2014 along with other writ petitions wherein order is passed on 12.2.2015.

In the said cases, the petitioners were initially appointed against the post reserved for Scheduled Tribe. However, they gave up their claim of belonging to Scheduled Tribe and restricted their claim to be belonging to Special Backward Class. The claims of the said petitioners of belonging to Special Backward Class were also validated by the competent authority.

In the present case, it is noted that the petitioner was appointed against the post reserved for N.T. (B). The petitioner claimed to be belonging to N.T.(B) category. However, he has waived the said claim and claims to be belonging to Other Backward Class. The said caste claim is already validated by the competent authority.

In that view of the matter, the petition is allowed in terms of prayer clause (i). However, it is directed that the petitioner shall be considered to be belonging to Other Backward Class and not as N.T.(B) category. Any promotional benefits received to him on the basis of the N.T.(B) category shall be revoked and he would be entitled to the promotional benefits only considering him as the candidate belonging to Other Backward Class.

Writ petition stands disposed of in aforesaid terms. No order to costs.

JUDGE

JUDGE

Hirekhan