

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

WRIT PETITION No.2727 OF 2014

(Ganpat s/o. Somaji Jambhule .vs. Union of India, through its Secretary, New Delhi and Ors.)

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

Court's or Judge's orders

Mr.P.P.Dhok, Adv. for the petitioner.

Mrs.G.Venkatraman, Adv. for respondent nos. 1 to 6.

CORAM : B.P.DHARMADHIKARI &
A.P.BHANGALE, JJ.

DATE : 11.2.2015.

Heard.

Appointment order was issued to the petitioner on 7.8.1990. However, it was not acted upon as the petitioner did not have validity as 'Mana' Scheduled Tribe. The question of validity remained pending for several years and ultimately, the petitioner has been given validity on 12.3.2010 vide Certificate of Validity having No.145931, after two remands by this Court.

The petitioner now wants an order of appointment.

Submission of Mr.P.P.Dhok, learned Counsel for the petitioner is that the petitioner was selected by Union Public Service Commission and for no fault on his part, his caste claim remained pending for several years. The learned Counsel also states that earlier petitioner had filed an O.A. before the Central Administrative Tribunal for same purpose and that O.A. was disposed of. He adds that as dispute is in

relation to caste claim, the O.A. before the Central Administrative Tribunal was wrongly filed and Writ Petition is the only remedy.

During hearing, we find that though the petitioner accepts that he approached C.A.T. vide O.A. No.2209 of 2011, copy of that O.A. or order passed therein has not been made available for perusal of this Court.

Mr.P.P.Dhok, learned Counsel for the petitioner, at this stage, informs that a Contempt Petition was thereafter filed before the C.A.T.

As the petitioner seeks entry into service, the matter is in relation to recruitment and therefore, the petitioner has to approach the C.A.T. only. If he is aggrieved by any order of the C.A.T., he has to challenge that order or that omission of employer before the competent Forum in accordance with law.

Hence, with said liberty to the petitioner and without going into merits of the controversy, we dispose of the present petition. No costs.

JUDGE

JUDGE