

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

WRIT PETITION NO.3468 OF 2015

[Meenakshi d/o Trimbak Dhok alias Meenakshi w/o Sham Barahate .vs. Scheduled Tribe Certificate
Scrutiny Committee, Nagpur and others]

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

Court's or Judge's orders

Shri P.P. Dhok, counsel for the petitioner,
Shri D.M. Kale, AGP for respondent nos.1, 2, 5, 6 and 7,
Shri N.D. Khamborkar, counsel for the respondent no.3.

CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.

DATED : SEPTEMBER 08, 2015.

By this petition, the petitioner seeks a direction to the scrutiny committee to decide the caste claim of the petitioner within a time frame. The petitioner seeks the protection of her service till her caste claim is decided.

The petitioner was appointed on the post of Arts Teacher that was reserved for the scheduled tribes. The petitioner claims to belong to Mana, Scheduled Tribe and the caste claim of the petitioner was referred to the scrutiny committee for verification. According to the petitioner, her caste claim is not decided and the respondents have threatened to terminate the services of the petitioner in the absence of the validity certificate.

Shri Kale, the learned Assistant Government Pleader appearing on behalf of the respondent no.1-Scrutiny Committee, states that the caste claim of the petitioner is pending before the scrutiny committee and the same would be decided as early as possible. It is stated that the vigilance inquiry is almost complete, but the report is not received, as yet.

In view of the statement made by the learned Assistant Government Pleader, we dispose of the writ petition, with a direction

to the scrutiny committee to decide the caste claim of the petitioner as early as possible and positively within a period of nine months.

Since the petitioner was not at fault in not producing the caste validity certificate, the services of the petitioner are protected, till her caste claim is decided. Order accordingly. No costs.

JUDGE

JUDGE

Gulande