

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

WRIT PETITION NO.3585 OF 2014

[Rukhmini d/o Chintaman Sangale .vs. Scheduled Tribe Caste Certificate Scrutiny Committee,
Amravati 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 S.D. Khati, counsel for the petitioner,
Shri A.L. Deshpande, counsel for the respondent no.1,
Shri Pravin Deshmukh, counsel for the respondent nos.2 and 3.

CORAM : SMT. VASANTI A. NAIK AND
A.M. BADAR, JJ.

DATED : APRIL 18, 2015.

By this petition, the petitioner has sought the protection of her service in view of the judgment of the Hon'ble Supreme Court, reported in 2012 (5) Mh.L.J. 921 (Kavita Solunke .vs. State of Maharashtra).

Shri Deshpande, the learned counsel for the respondent no.1-Scrutiny Committee, states that the petitioner would not be entitled for protection of services, till the caste claim of the petitioner is decided by the Scrutiny Committee in view of the judgment of the full bench of this court reported in 2015 (1) Mh.L.J. 457 (Arun s/o Vishwanath .vs. State of Maharashtra and others). The learned counsel for the respondent states that the claim of the petitioner was sent for verification to the scrutiny committee, but the same is returned for want of documents.

In view of the submission, the learned counsel for the petitioner seeks a direction to the respondent nos.2 and 3 to send the caste certificate of the petitioner along with the relevant documents to the respondent no.1-Scrutiny Committee for verification of her caste claim. It is stated that the petitioner would tender the relevant documents to the respondent nos.2 and 3, within a period of three

weeks. The learned counsel for the petitioner seeks a direction to the respondent nos.2 and 3 to send the necessary papers in respect of the caste claim of the petitioner to the respondent no.1-Scrutiny Committee and a direction to the Scrutiny Committee to decide the claim, as early as possible.

The request made on behalf of the petitioner is just and reasonable. Hence, we dispose of the writ petition, with a direction to the respondent nos.2 and 3 to send the caste claim of the petitioner to the respondent no.1-Scrutiny Committee, within a period of 15 days, from the receipt of the necessary documents from the petitioner. If the documents are so submitted, the respondent no.1-Scrutiny Committee should decide the caste claim of the petitioner, as early as possible and positively, within a period of eight months, from the receipt of the caste claim. Order accordingly. No costs.

JUDGE

JUDGE

Gulande