

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

WRIT PETITION NO. 3977 OF 2013

(Charandas s/o Ambadas Fukat vs. Scheduled Tribe Caste Certificate Scrutiny Committee & Ors.)

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

Court's or Judge's orders

**CORAM : B.P. DHARMADHIKARI &
S.B. SHUKRE, JJ.
APRIL 27, 2015.**

Heard Shri Khati, learned counsel for the petitioner and Shri A. Deshpande, learned counsel for respondent No. 1. Nobody appears for respondent Nos. 2 & 3, though served.

Shri Deshpande, learned counsel is seeking time, as instructions are still awaited.

The petitioner claims to have joined employment in pursuance of order of Appointment dated 01.02.1997. It is further alleged that his caste claim as person belonging to *Mahadeo Koli*, Scheduled Tribe is still under consideration of Respondent No. 1.

This Court has, while issuing notice in the matter on 25.07.2013, protected the services of the petitioner.

In this situation, if caste claim of the petitioner is still pending, we direct Respondent No. 1 to decide it as per Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance &

Verification of) Caste Certificates Act, (Act No. 23 of 2001), within a period of one year from the date on which the petitioner is directed to appear before it.

The petitioner to appear before Respondent No. 2 – Committee on 06.06.2015 and to abide by its further instructions in the matter. The interim orders passed by this Court on 25.07.2013 to continue and shall be subject to said adjudication.

The request of Shri Khati, learned counsel for grant of protection of the employment in terms of Full Bench judgment of this Court in the case of Arun Vishwanath Sonone vs. State of Maharashtra & Ors., 2015 (1) Mh. L.J. 457 (FB), is kept open and shall be considered thereafter, if occasion therefor arises.

With these directions, writ petition is partly allowed and disposed of. However, there shall be no order as to costs.

JUDGE

JUDGE

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