

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

WRIT PETITION NO. 3976 OF 2013

(Jagdish s/o Baldeo Bundle vs. Scheduled Tribe Caste Certificate Scrutiny Committee thr. its
Member-Secretary & 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, Shri A. Deshpande, learned counsel for respondent No. 1 and Shri Parchure, learned counsel for respondent Nos. 2 & 3.

The petitioner as also his employer state that the petitioner came to be appointed in pursuance of appointment order dated 06.03.1996 and continues in service. His caste claim as belonging to Dhoba, Scheduled Tribe is still being looked into by Respondent No. 1.

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

Shri Deshpande, learned counsel submits that if the caste claim of the petitioner is pending, the Committee shall attempt to decide it within a reasonable time.

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

*GS.