

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 4251 OF 2015

Hanuman Laxman Shrirame

-vs-

Divisional Controller, Maharashtra State Road Transport Corporation and others

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

Court's or Judge's Orders.

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

Mr. N.R. Rode, A.G.P for the respondent Nos.2 and 3.

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

DATE : 24.08.2015.

By this petition, the petitioner seeks a direction to the respondent No.1 to appoint the petitioner on the post of Assistant Junior subject to the decision of the Scrutiny Committee on the caste claim of the petitioner. The petitioner also seeks a direction to the respondent No.3-Scrutiny Committee to decide the petitioner's caste claim within a time frame.

Though notice of final disposal is issued to the respondents and the respondent No.1 is served, none appears on behalf of the respondent No.1. Since the petitioner claims to have been selected on the post of Assistant Junior, in the circumstances of the case, it would be necessary to direct the respondent No.3-Scrutiny Committee to decide the caste claim of the petitioner within a time frame. It would also be necessary to direct the respondent No.1-Corporation to keep the post of Assistant Junior, on which the petitioner was selected, vacant, if the same is not filled till date.

Hence, in the facts and circumstances of the case, we partly allow the writ petition by directing the respondent No.3-

Scrutiny Committee to decide the caste claim of the petitioner as early as possible and positively within a period of six months from the date of appearance of the petitioner before the Scrutiny Committee. The petitioner undertakes to appear before the Scrutiny Committee on 07/09/2015 so that issuance of notice to the petitioner could be dispensed with. The respondent No.1-Corporation is restrained from filling the post of Assistant Junior on which the petitioner was selected, till his caste claim is decided. If the caste claim of the petitioner is decided in favour of the petitioner, the respondent No.1-Corporation may consider appointing the petitioner on the post of Assistant Junior.

Order accordingly. No costs.

JUDGE

JUDGE

KHUNTE