

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

WRIT PETITION NO. 4114 OF 2013

(Ku. Nalu Natthuji Khaole (Now Sau. Nalini Vasantrao Nagtode) vs. Jaibharat Mahila Seva Sanstha, Nagpur thr. its Secretary-cum- CEO and 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.
MARCH 25, 2015.**

Heard Shri Jibhkate, learned counsel for the petitioner, Shri Kulkarni, learned counsel for respondent No. 1 and Shri Pimpalkar, Advocate holding for Shri Mohgaonkar, learned counsel for respondent No. 2.

Admittedly, the caste claim of the petitioner is pending. The petitioner has received an order of termination dated 27.07.2013. The said order mentions that the petitioner has been employed against a Scheduled Caste vacancy and she did not supply the validity in spite of several reminders. Hence, her services were to be brought to an end on 31.07.2013. However, this Court on the very same date stayed that termination order.

Shri Jibhkate, learned counsel submits that even otherwise, the petitioner has entered employment in the year 1995 and, therefore, as per judgment of this Court in the case of Arun Vishwanath Sonone vs. State of Maharashtra & Ors., 2015 (1) Mh.L.J. 457 (FB), she is entitled to protection.

The respective counsel for the respondents point out that the caste claim of the petitioner is still under verification.

In this situation, we grant leave to the petitioner to implead the Scrutiny Committee as party Respondent No. 3. The necessary amendment be carried out immediately.

We direct the petitioner to appear before that Committee on 15.05.2015 and to abide by its further instructions in the matter. The Committee shall attempt to verify the caste claim of the petitioner within next one year. Till then, the interim orders passed by this Court on 31.07.2013 to continue and shall be subject to further orders of this Court in the matter. The prayer of Shri Jibhkate, learned counsel for protection of employment of the petitioner shall be considered thereafter if the occasion therefor arises.

The impugned order dated 27.07.2013 is quashed and aside. Writ Petition is allowed and disposed of. No order as to costs.

JUDGE

JUDGE

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