

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

WRIT PETITION NO. 4181 of 2013

(Daulat s/o Ranuba Maghade Vs. Scheduled Tribe Caste Certificate Scrutiny
Committee through its Member-Secretary, Amravati and anr.)

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

Court's or Judge's order

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

DATE : 28-4-2015.

Heard learned Advocate Shri S. D. Khati
for the petitioner.

Shri A. M. Deshpande, learned Advocate
present in the Court informs that this Court has
on 2-12-2014 inadvertently recorded his
presence for the petitioner. He never appear for
the petitioner and he is not appearing for
respondent no. 1, Committee also. He points
out that earlier Advocate Shri P. B. Patil was
appearing for Committee and after constitution
of panel of Advocates, the matter has not been
allotted to him.

We accept the statement made by the
learned Advocate Shri Deshpande. However,
Advocate Shri Deshpande assisted the Court on
request for final consideration of the matter.

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Nobody appears for respondent nos. 1 and 2.

Learned Advocate Shri Khati submits that caste claim of the petitioner is still pending. This Court while protecting employment of the petitioner, directed to complete verification proceedings within six months. According to him, no further steps have been taken in the matter.

Petitioner claimed to have joined employment in terms of appointment order dated 22-7-1997 and his caste claim as belonging to "Koli Malhar, Scheduled Tribe" is still stated to be pending.

Shri Khati, learned Advocate submits in the light of *Arun Vishwanath Sonone Vs. State of Maharashtra and ors.* reported at **2015(1) Mh.L.J. 457**, the petitioner may also be granted protection in employment.

In this situation, as there is already direction to the Committee, we direct petitioner to appear before respondent no. 1 Committee on 15-6-2015 and to abide by its further instructions in the matter.

If the caste claim is pending, the Committee shall adjudicate the same within six

months.

Interim order granted by this Court on 6-8-2013 to continue and shall be subject to decision by the respondent no. 1.

The request of Advocate Khati regarding protection of service is kept open and shall be considered thereafter, if occasion therefor arises.

The writ petition is thus disposed of with no order as to costs.

JUDGE

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