

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

WRIT PETITION NO.4781 OF 2015

[Rinkesh s/o Devidas Dadmal .vs. The Committee for Scrutiny and Verification of Tribe Claim, Nagpur
and others]

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

Court's or Judge's orders

Shri R.D. Murkute, counsel for the petitioner,
Shri N.S. Khubalkar, AGP for the respondent nos.1 to 3,
Ms. Pathak, counsel h/f Shri Rohit Deo, ASGI for the respondent no.4,
Shri P.B. Patil, counsel for the respondent no.5.

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

DATED : SEPTEMBER 01, 2015.

Heard.

By this petition, the petitioner seeks a direction to the respondent no.1-scrutiny committee to decide the caste claim of the petitioner within a time frame. The petitioner also seeks a direction to the respondent nos.4 and 5 to protect the education of the petitioner till his caste claim is decided.

The petitioner was admitted to the respondent no.4-College in the B.E. Degree course on a seat earmarked for the scheduled tribes. The caste claim of the petitioner was referred by the respondent no.4 to the scrutiny committee for verification. According to the petitioner, the petitioner apprehends that his admission would stand cancelled as the petitioner has not tendered the caste validity certificate, within the time prescribed.

Shri Khubalkar, the learned Assistant Government Pleader appearing on behalf of the scrutiny committee, states that the caste claim of the petitioner is pending and would be decided within a reasonable time.

Ms. Pathak, the learned counsel appearing on behalf of the respondent no.4, states that the respondent no.4 had never

threatened the petitioner that his admission would be cancelled and the petitioner is permitted to pursue his studies and the examination form of the petitioner is submitted to the University. It is stated that the apprehension expressed by the petitioner is ill-founded.

Be that as it may, since the caste claim of the petitioner is pending before the scrutiny committee, the writ petition is disposed of with a direction to the respondent no.1-scrutiny committee to decide the caste claim of the petitioner as early as possible and positively within a period of one year from the date of appearance of the petitioner before the scrutiny committee. The petitioner undertakes to appear before the scrutiny committee on 21.9.2015, so that the issuance of notice to the petitioner could be dispensed with. Since the petitioner is not at fault in not submitting the caste validity certificate, the education of the petitioner is protected till his caste claim is decided. Order accordingly. No costs.

JUDGE

JUDGE