

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

WRIT PETITION NO.4821/2015

Ku. Tulsa d/o Prabhuji Chaturkar (Sau. Tulsa w/o Subhash Shirpurkar)

...Versus...

Deputy Director, Health Services, Nagpur Circle, Shradhanand Peth, Mata
Kacheri, Nagpur and another

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. Karode, Advocate for petitioner
Ms Tajwar Khan, AGP for respondent nos.1 and 2

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

DATE : 26.08.2015

By this petition, the petitioner seeks a direction to the respondent no.2 – Scrutiny Committee to decide the caste claim of the petitioner. The petitioner also challenges the notice of intended termination issued by the respondent no.1 on 28.7.2015.

It is submitted on behalf of the petitioner that the caste claim of the petitioner was not referred by the respondent no.1 to the respondent no.2 – Scrutiny Committee and hence, the petitioner was not in a position to produce the caste validity certificate. It is stated that a direction be issued to the respondent no.1 to remit the caste claim of the petitioner to the respondent no.2 – Scrutiny Committee and a direction be issued to the respondent no.2 to decide the caste claim within a time-frame.

Ms Khan, the learned Assistant Government Pleader appearing on behalf of the respondents states that the petitioner had not submitted any documents in support of her caste claim and had tendered only her caste certificate. It is submitted that in the absence of the documents, the caste claim of the petitioner could not be referred to the Scrutiny Committee.

The learned Counsel for the petitioner states that the petitioner shall submit the necessary documents to the respondent no.1 within a period of 15 days and the caste claim of the petitioner may be referred by the respondent no.1 to the respondent no.2 – Scrutiny Committee for verification, as the petitioner is on the verge of retirement.

In view of the statements recorded hereinabove, we dispose of the writ petition with a direction to the petitioner to submit the necessary documents to the respondent no.1 within a period of 15 days and with a direction to the respondent no.1 to submit the said documents to the respondent no.2 – Scrutiny Committee for verification along with the caste certificate of the petitioner. We also direct the respondent no.2 – 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 receipt of the caste claim. We protect the services of the petitioner till her caste claim is decided.

Order accordingly. No costs.

JUDGE

JUDGE