

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

WRIT PETITION NO. 4526/2014

(VITHAL SHANKARRAO AITWAR **VERSUS** CHIEF ENGINEER (TECHNICAL), M.S.P.G.C.L.,
MUMBAI & ANOTHER)

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

Court's or Judge's orders

Shri S.R. Narnaware, counsel for the petitioner.
Shri A.D. Mohgaonkar, counsel for the respondents.

CORAM : SMT. VASANTI A. NAIK AND
A.M. BADAR, JJ.

DATE : APRIL 7, 2015.

By this petition, the petitioner seeks the protection of his services while challenging the show cause notice issued by the respondents to the petitioner in regard to the termination of his services for not submitting the caste validity certificate.

It is submitted on behalf of the respondents that the petitioner was appointed on a post earmarked for N.T.(B) category and when the petitioner was asked to tender the caste certificate and the other necessary documents for verification by the scrutiny committee, the petitioner submitted a caste certificate of belonging to Scheduled Tribes.

Shri Narnaware, the learned counsel for the petitioner, states that before seeking the protection of his services, the petitioner would be required to get his caste claim verified from the scrutiny committee. It is stated that the petitioner would submit the caste certificate of Beldar Tribe, which falls in N.T.(B) category, to the respondents along with the necessary documents within a period of four weeks so that the same could be sent to the scrutiny committee for verification. It is stated that the scrutiny committee may be directed to verify the caste claim of the

petitioner as early as possible.

On the statement made by the learned counsel for the petitioner, we dispose of the writ petition by directing the petitioner to submit the caste certificate and the necessary documents to the respondent-Employer so that the same could be submitted to the scrutiny committee for verification. The respondent nos.1 and 2 are directed to submit the documents in respect of the caste claim of the petitioner to the scrutiny committee within a period of four weeks from the receipt of the same. The respondent no.3-Scrutiny Committee is directed to decide the caste claim of the petitioner as early as possible and positively within a period of one year. The services of the petitioner are protected till his caste claim is decided.

Order accordingly. No order as to costs.

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The learned counsel for the petitioner seeks leave to join the Divisional Caste Certificate Scrutiny Committee, Nagpur as party respondent.

Leave granted.

The amendment be carried out forthwith.

Shri K.L. Dharmadhikari, the learned Assistant Government Pleader, waives notice on behalf of the newly added respondent.

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