

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

WRIT PETITION NO. 5620 OF 2013

(Gajanan s/o Rangrav Patkar vs. Divisional Controller, Sindhudurg, MSRTC, Sindhudurg Division & Anr.)

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.
APRIL 27, 2015.**

Heard Shri Bute, learned counsel for the petitioner, Shri Wankhede, learned counsel for respondent No. 1 and Shri A. Deshpande, learned counsel for respondent No. 2.

The caste claim of the petitioner as belonging to *Mahadeo Koli*, Scheduled Tribe is still under consideration of Respondent No. 2. The petitioner claims that he has joined employment on 02.12.1997 and for want of validity, came to be terminated on 14.05.2009.

The limited prayer of Shri Bute, learned counsel at this juncture is to direct Respondent No. 2 to expedite verification of caste claim.

Shri Deshpande, learned counsel submits that if the caste claim of the petitioner is pending, it will be decided within a reasonable time.

In this situation, without prejudice to the contentions of the respondents in the matter, we direct Respondent No. 2 to expedite the consideration of caste

claim of the petitioner and to complete it within a period of one year from the date on which the petitioner is directed to appear before it.

The petitioner to appear before Respondent No. 2 – Committee on 19.05.2015 and to abide by its further instructions in the matter. The Committee shall give the petitioner an opportunity of hearing and to complete the verification as per Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance & Verification of) Caste Certificates Act, (Act No. 23 of 2001), within a period of one year.

The contentions of Shri Bute, learned counsel about the validity of termination order and grant of protection in terms of Full Bench judgment of this Court in the case of Arun Vishwanath Sonone vs. State of Maharashtra & Ors., 2015 (1) Mh. L.J. 457 (FB), are kept open and shall be looked into thereafter.

With these directions, writ petition is disposed of. However, there shall be no order as to costs.

JUDGE

JUDGE

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