

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

WRIT PETITION No.6196 OF 2013

(Rajaram Vishwanath Raibole .vs. State, through the Secretary, Deptt of Home, Mumbai
and Ors.)

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

Court's or Judge's orders

Mr.S.D.Harode, Adv. for the petitioner.
Mr.N.R.Rode, A.G.P. for respondent nos. 1 to 3.
Mr.Abhijit Deshpande, Adv. for respondent no.4.

CORAM : B.P.DHARMADHIKARI &
A.P.BHANGALE, JJ.

DATE : 16.2.2015.

Heard.

This Court has, while issuing notice on 3.12.2013,
noted the contention that the caste claim of the petitioner is
still pending and therefore, protected his employment.

Today, upon instructions, Mr.Abhijit Deshpande,
learned Counsel for respondent no.4 submits that the caste
claim is not received by respondent no.4.

Mr.N.R.Rode, learned A.G.P. as also Mr.Abhijit
Deshpande, learned Counsel state that the record with the
learned A.G.P. shows that the petitioner has subsequently
procured a Certificate showing him belonging to the caste
'Koli' (Special Backward Class) and it may have been
forwarded for verification to the Divisional Caste Certificate
Scrutiny Committee at Amravati. However, they are not
certain about it.

The learned A.G.P. submits that the caste claim

was forwarded way back in 2007 and he is still awaiting instructions in the matter.

It is not in dispute that the petitioner got employment as a person belonging to 'Koli Mahadeo' Scheduled Tribe. As such, the caste claim needs to be verified by respondent no.4. Hence, the employer of the petitioner shall arrange to forward necessary papers to respondent no.4 within a period of six weeks from today.

We direct the petitioner to appear before respondent no.4 on 6.4.2015. On that day, he shall hand over additional copies of caste certificate and the documents available with him to respondent no.4 for its use. Respondent no.4 shall, thereafter, attempt to complete verification in accordance with law within next one year.

Interim order protecting employment of the petitioner granted on 3.12.2013 shall continue till then and shall be subject to it.

Prayer of the petitioner for protection and other arguments, if any, are kept open and shall be looked into thereafter if occasion therefor arises. The petition is partly allowed and disposed of. No costs.

JUDGE

JUDGE