

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

WRIT PETITION NO.5410 OF 2014

[Santosh s/o Nilkantharao Jamdade .vs. Divisional Caste Certificate Scrutiny Committee, Nagpur
Division-1, Nagpur and one]

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

Court's or Judge's orders

Shri R.V. Shiralkar, counsel for the petitioner,
Shri N.R. Patil, AGP for the respondents.

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CORAM : SMT. VASANTI A. NAIK AND
PRASANNA B. VARALE, JJ.

DATED : JUNE 19, 2015.

By this petition, the petitioner seeks a direction to the respondent–scrutiny committee to decide the caste claim of the petitioner, within a time frame. The petitioner seeks protection of his services, till his caste claim is decided.

Shri Shiralkar, the learned counsel for the petitioner, states that though the caste claim of the petitioner is forwarded to the Scrutiny Committee in July, 2013, the respondent–scrutiny committee has not decided the same as yet. It is stated that the respondent no.2 has issued a notice of termination to the petitioner for not submitting the caste validity certificate.

Shri Patil, the learned Assistant Government Pleader appearing on behalf of the respondents, states that the petitioner is not regularly appearing before the scrutiny committee on the fixed dates of hearing. It is stated that the petitioner should be punctual in attending the proceedings and the scrutiny committee would decide his caste claim at the earliest.

Since the caste claim of the petitioner is still pending with the scrutiny committee, we dispose of the writ petition, with a direction to the scrutiny committee to decide the caste claim of the petitioner, as

early as possible and positively within a period of nine months from the date of appearance of the petitioner before the scrutiny committee. The petitioner undertakes to appear before the scrutiny committee on 1.7.2015, so that issuance of notice to the petitioner could be dispensed with. Since the petitioner was not at fault in not submitting the caste validity certificate, the services of the petitioner are protected till the scrutiny committee decides his caste claim. Order accordingly. No order as to costs.

JUDGE

JUDGE

Gulande