

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

WRIT PETITION NO.6598 OF 2013

Anil S/o Sheshraoji Mahetkar

..vs..

**Joint Commissioner & Vice-Chairman, Scheduled Tribe Certificate
Scrutiny Committee, Adiwasi Vikas Bhawan, Giripeth, Nagpur and
ors**

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

Court's or Judge's order

Shri S.R. Narnaware, counsel for the petitioner.
Shri Abhijeet Deshpande, counsel for R-1.
Shri S.S. Ghate, counsel for R-3 and 4.

**CORAM : B.P.DHARMADHIKARI &
A.P.BHANGALE, JJ.**
DATE : JANUARY 20, 2015.

Heard.

The caste claim of the petitioner as belonging to caste "Halba" (Scheduled Tribe) is still not verified by respondent No.1 – Scrutiny Committee.

Respondent No.1 – Scrutiny Committee has on 16.4.2010 returned back the papers to the employer of the petitioner pointing out that the same were not containing necessary documents and particulars. The said communication sent by respondent No.1 – Scrutiny Committee to the employer of the

petitioner is on record.

The employer of the petitioner has submitted that, thereafter, as the necessary documents were not made available by the petitioner to it, the caste claim of the petitioner could not be re-submitted.

Shri Narnaware, learned counsel for the petitioner, states that all the necessary documents shall be made available to the employer of the petitioner within a period of three weeks from today.

We, therefore, direct the petitioner to make available the necessary documents to his employer within a period of three weeks from today. If such necessary documents are made available by the petitioner to his employer, the employer of the petitioner shall forward the caste claim of the petitioner to respondent No.1 – Scrutiny Committee, within a period of two weeks thereafter.

We direct the petitioner to appear before respondent No.1 – Scrutiny Committee on 16.3.2015 and abide by its further instructions in the matter. Thereafter, respondent No.1 – Scrutiny Committee shall attempt to complete the verification of the caste claim of the

petitioner in accordance with the 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, 2000 (Act No.XXIII of 2001 at the earliest and in any case preferably within a period of one year.

Till then, *interim* order granted by this Court shall continue.

However, it is made clear that if such necessary documents are not made available to the employer by the petitioner within a period of three weeks from today or respondent No.1 – Scrutiny Committee does not receive the same within a period of next two weeks, the *interim* order granted by this Court shall stand vacated.

Subject to it, the writ petition is partly allowed and disposed of.

JUDGE

JUDGE

!! BRW !!

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