

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

WRIT PETITION NO. 7288/2014

(DATTATRAY MANOHARRAO DAHAKE **VERSUS** THE SUPERINTENDENT OF POLICE, AMRAVATI
(RURAL), AMRAVATI & ANOTHER)

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

Court's or Judge's orders

Ms G.R. Tiwari, counsel for the petitioner.
Shri A.S. Fulzele, A.G.P. for the respondents.

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

DATE : AUGUST 7, 2015.

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

The petitioner was appointed as a Police Constable on a post that was earmarked for the Scheduled Tribes. The petitioner claims to belong to Thakur Scheduled Tribe and his caste claim was referred to the scrutiny committee for verification. It is the case of the petitioner that the scrutiny committee has not verified the caste claim and the respondent no.1 has issued the impugned notice asking the petitioner to show cause as to why his services should not be terminated for not producing the caste validity certificate. It is stated that the petitioner is not at fault in not submitting the caste validity certificate as the caste claim of the petitioner is not yet decided.

Shri Fulzele, the learned Assistant Government Pleader appearing on behalf of the respondents, submitted on instructions that the caste claim of the petitioner is pending before the scrutiny committee since January-2015 and the vigilance enquiry is being conducted in the matter. It is submitted that the caste claim would be decided as early as possible.

In view of the statements made on behalf of the respondents, we dispose of the writ petition with a direction to the respondent no.3-Scrutiny Committee to decide the caste claim of the petitioner as early as possible and positively within a period of one year. Since the petitioner is not at fault in not producing the caste validity certificate, the services of the petitioner are protected till the scrutiny committee decides his caste claim.

Order accordingly. No costs.

JUDGE

JUDGE

APTE