

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

WRIT PETITION NO. 1807 OF 2015

(Sushma Ganpatrao Shendre (Sushma Vinodrao Raikwar) vs. State of Maharashtra thr. its
Secretary, Department of School Education & Ors.)

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 &
KUM. INDIRA JAIN, JJ.
JUNE 28, 2016.**

Heard Shri Rahul Ghuge, learned counsel for the petitioner and Shri N.S. Rao, learned AGP for respondent Nos. 1 to 3 and Shri A.P. Kalmegh, learned counsel for respondent Nos. 4 & 5.

Writ Petition can be conveniently disposed of in the light of judgment delivered today in Writ Petition No. 1915 of 2015 with a bunch of writ petitions.

The only distinguishing feature is, caste claim of the petitioner as belonging to Scheduled Tribe, Halbi, has been invalidated way back on 25.06.2004 itself. The petitioner had no occasion to challenge it because he got the benefit as Special Backward Class (S.B.C.).

In the light of the observations made in the judgment mentioned supra, Shri Ghuge, learned counsel seeks leave to challenge the said order dated 25.06.2004 in appropriate writ petition.

Shri Rao, learned AGP and Shri Kalmegh, learned counsel for the respondents are opposing grant of such liberty.

However, in view of the facts noted by us in the judgment mentioned supra, the petitioner is entitled to apply for protection of employment as per law.

With liberty to the petitioner to challenge the said order within a period of four weeks from today, before the appropriate forum in accordance with law, we dispose of the present writ petition. However, there shall be no order as to costs.

JUDGE

JUDGE

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