

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

WRIT PETITION NO.3963 OF 2013.

Prakash Vishwanath Khodke

..VS..

Scheduled Tribe Caste Certificate Scrutiny Committee and anr.

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.Khati, Advocate for the petitioner.
Mrs.M.N.Hiwase, AGP for respondent no.1.

**CORAM : B.P.DHARMADHIKARI AND
P.N.DESHMUKH, JJ.**

DATED : MARCH 31, 2016.

The petitioner has joined employment on 23rd of June, 1996 with respondent no.2 and his caste claim is still alleged to be pending. This Court has issued notice in the matter on 25th of July, 2013 and protected his employment.

Learned Assistant Government Pleader submits that after Panel of Advocates representing respondent no.1 was quashed, the matters are received by office of Government Pleader. She is seeking time of three weeks to further assist the Court in the matter.

Nobody appears for respondent no.2 – employer.

We accept the statement made by petitioner on affidavit that he is in employment,

In this situation, in the light of Full Bench Judgment reported at **2015(1) Mh.L.J.457** (Arun

Vishwanath Sonone ..vs.. State of Mah.), the entitlement of petitioner to protection also can be examined only after adjudication of caste claim of petitioner by respondent no.1 – Scrutiny Committee.

We, therefore, direct respondent no.1 – Scrutiny Committee to take suitable decision on caste claim of petitioner as early as possible and in any case within period of eight months from today, if it is not already decided.

Petitioner to appear before respondent no.1 – Scrutiny Committee on 14th of May, 2016 and to abide by its further instructions in the matter.

Interim order granted by this court to continue till adjudication of caste claim of petitioner by respondent no.1 – Scrutiny Committee.

Writ Petition is accordingly partly allowed and disposed of.

JUDGE

JUDGE

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