

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

WRIT PETITION NO.4348/2016

Nikhil s/o Vishwanath Shende

...Versus...

Scheduled Tribe Certificate Scrutiny Committee, Gadchiroli, through its
Chairman and others

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

Court's or Judge's orders

Shri P.P. Dhok, Advocate for petitioner
Shri A.S. Fulzele, Addl. G.P. for respondent nos.1 to 3
Shri N.S. Khubalkar, Advocate for respondent no.5

CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATE : 23.12.2016

By this petition, the petitioner has challenged the order of the Scrutiny Committee, dated 27.5.2016, refusing to verify the caste claim of the petitioner on the ground that the caste certificate and the affidavit was not in the proper form. The petitioner has also sought a direction against the respondent – University and the College to protect the education of the petitioner, till his caste claim is decided.

During the pendency of the writ petition, we had permitted the petitioner to submit the necessary caste certificate and the other documents in the proper form to the Scrutiny Committee.

Shri Dhok, the learned Counsel for the petitioner states that the petitioner tried to resubmit the caste certificate and

the documents but the Scrutiny Committee has refused to accept the same.

Whereas, it is stated on behalf of the Scrutiny Committee by the learned Additional Government Pleader that the Scrutiny Committee has reported on 20.12.2016 that the caste claim of the petitioner is accepted.

Be that as it may, even if the caste claim of the petitioner is not accepted, the petitioner may submit the same to the Scrutiny Committee within ten days, so that the Scrutiny Committee would decide the caste claim within a reasonable time. If the Scrutiny Committee has accepted the caste claim as submitted on behalf of the petitioner, the Scrutiny Committee should, in anyway decide the caste claim.

Hence, we dispose of the writ petition with a direction to the petitioner to submit the caste claim to the Scrutiny Committee within ten days. The Scrutiny Committee is directed to accept the caste claim of the petitioner and verify the same. The Scrutiny Committee is further directed to verify the caste claim of the petitioner within fifteen months. The education of the petitioner is protected, till his caste claim is decided.

Order accordingly. No costs.

JUDGE

JUDGE

Wadkar