

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

WRIT PETITION NO.4501 OF 2016

[Mohd. Gazanfar Sadique Abdul Zamir .vs. Divisional Caste Certificate Scrutiny Committee No.2,
Akola 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 R.D. Karode, counsel for the petitioner,
Shri A.M. Balpande, AGP for respondent no.1,
Shri Amol Deshpande, counsel for respondent nos.2 and 3.

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

DATED : NOVEMBER 28, 2016.

By this writ petition, the petitioner seeks a direction against the scrutiny committee to decide the caste claim of the petitioner within a time frame. The petitioner has challenged the order of his termination and sought the protection of his services, till his caste claim is decided.

Shri Balpande, the learned Assistant Government Pleader appearing for the scrutiny committee states, on instructions, that the caste claim of the petitioner is pending before the committee and the same would be decided as early as possible.

Since the petitioner's caste claim is pending before the scrutiny committee for verification and the petitioner is not at fault in not producing the caste validity certificate, we allow the writ petition and quash and set aside the impugned order of termination. The scrutiny committee is directed to decide the caste claim of the petitioner within fifteen months from the date of appearance of the petitioner before the scrutiny committee. The petitioner undertakes to appear before the scrutiny committee on 9.12.2016. The services of the petitioner are protected, till his caste claim is decided. Order accordingly. No costs.

JUDGE

JUDGE