IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 6322 /2016

(Miss Mrunali D/o Madhukar Dhok vs. The Scheduled Tribe Caste Certificate Scrutiny Committee and others)

.....

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders | Court's or Judge's order

.....

Mr. Ananta Ramteke, Advocate for the petitioner
Mr.Ambarish Joshi, Asst. Government Pleader for Respondents 1 & 2

CORAM : SMT. VASANTI A. NAIK &
MRS. SWAPNA JOSHI, JJ.
DATED : 15th December, 2016.

Heard.

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 also seeks a direction against the respondent no.3-College to protect the education of the petitioner, till her caste claim is decided.

The Scrutiny Committee had refused to verify the caste claim of the petitioner as the petitioner has not tendered the caste certificate in Form 'C'. However, during the pendency of the Writ Petition, the petitioner secured the caste certificate from the competent authority in Form 'C' and the petitioner is ready to submit the same to the Scrutiny Committee, for verification.

In this set of facts, it would be necessary to direct the Scrutiny Committee to accept the caste claim of the petitioner and decide the same in accordance with law within a time-frame. Since the petitioner was not at fault in not producing

the caste validity certificate, the education of the petitioner needs to be protected, till her caste claim is decided.

Hence, for the reasons aforesaid, the Writ Petition is partly allowed. The order of the Scrutiny Committee dated 27.1.2016 is quashed and set aside. The petitioner is directed to submit the caste claim to the Scrutiny Committee in the proper form within one month. The Scrutiny Committee is directed to decide the caste claim of the petitioner within fifteen months from the receipt of the same. The respondent no.3 is directed to protect the education of the petitioner till her caste claim is decided. If the petitioner fails to submit the caste certificate to the Scrutiny committee within one month, the respondent no.3 is free to take appropriate action against the petitioner.

Order accordingly. No costs.

JUDGE **JUDGE**

sahare