

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

WRIT PETITION NO.5578 OF 2016

[Sau. Sheela w/o Manohar Bholankar and one .vs. Scheduled Tribe Caste Certificate Scrutiny
Committee, Amravati and one]

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 petitioners,
Mrs. Prabhu, AGP for the respondents.

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

DATED : NOVEMBER 28, 2016.

By this writ petition, the petitioners challenge the order of the Collector, dated 2.9.2016 cancelling the membership of the petitioners on the Grampanchayat for not submitting the caste validity certificates. The petitioners seek a direction against the Scrutiny Committee to decide the caste claim of the petitioners within a time frame.

Ms. Prabhu, the learned Assistant Government Pleader appearing for the Scrutiny Committee states, on instructions, that the caste claim of the petitioners is pending before the Scrutiny Committee. It is stated that though the petitioners were asked to remain present before the Scrutiny Committee for hearing, the petitioners failed to remain present. It is stated that the Scrutiny Committee cannot be blamed for not deciding the caste claim, as the petitioners are negligent in prosecuting their claim for verification.

Shri Karode, the learned counsel for the petitioners, states that the petitioners would remain present before the Scrutiny Committee and a direction may be issued to the Scrutiny Committee to decide the caste claim within a time frame.

Sine the caste claim of the petitioners is pending before the Scrutiny Committee for verification, the impugned order of the Collector is quashed and set aside. The Scrutiny Committee is directed to decide the caste claim of the petitioners within one year from the date of appearance of the petitioners before the Scrutiny Committee. The petitioners undertake to appear before the Scrutiny Committee on 8.12.2016. The membership of the petitioners on the Grampanchayat is protected, till their caste claim is decided. Order accordingly. No costs.

JUDGE

JUDGE

Gulande, PA