

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

WRIT PETITION NO.6180 OF 2015

(Sanjay s/o Deorao Sorte vs. Joint Commissioner and Vice Chairman, Scheduled Tribe Certificate Scrutiny Committee and another)

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

Shri S.R. Narnaware, Advocate for the petitioner.
Shri K.L. Dharmadhikari, Assistant Government Pleader
for the respondent no.1.

CORAM : SMT. VASANTI A NAIK AND
KUM. INDIRA JAIN, JJ.

DATED : OCTOBER 17, 2016

By this writ petition, the petitioner seeks a direction against the respondent no.1 Scrutiny Committee to decide his caste claim as early as possible. The petitioner also seeks a direction against the respondent no.2 to protect his services till his caste claim is decided.

It is stated on behalf of the petitioner that though the caste claim of the petitioner is pending before the Scrutiny Committee for long, the Scrutiny Committee has not decided the same and the respondent no.2 has threatened to terminate the services of the petitioner in the absence of the caste validity certificate.

Shri Dharmadhikari, the learned Assistant Government Pleader appearing for the respondent no.1 Scrutiny Committee, states on instructions that the caste claim of the petitioner is pending before the Scrutiny Committee and though after completion of the vigilance

enquiry, the petitioner was asked by the notice served on the petitioner in the month of July 2016 to give his reply, he has not submitted the reply till date. It is stated that if the petitioner cooperates with the Scrutiny Committee for early disposal of the caste claim, the Scrutiny Committee may decide the same as early as possible.

On hearing the learned Counsel for the parties, we find that the caste claim of the petitioner is pending before the Scrutiny Committee and till the caste claim is pending, the services of the petitioner are required to be protected. Since it is stated on behalf of the Scrutiny Committee that the Scrutiny Committee would decide the caste claim of the petitioner as early as possible, we dispose of the writ petition with a direction against the respondent no.1 to decide the caste claim of the petitioner within one year and with a direction against the respondent no.2 to protect the services of the petitioner till his caste claim is decided. It is needless to mention that the petitioner should cooperate with the Scrutiny Committee for an early disposal of the caste claim.

Order accordingly. No costs.

JUDGE

JUDGE

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