

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

WRIT PETITION NO. 6228 OF 2016

Smita Bhimsingh Chauhan

-VS-

State of Maharashtra, thr.its Secretary, Tribal Welfare Deptt.and others

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

Court's or Judge's Orders.

 Mr. G.G.Mishra & Mr. P.K.Raulkar, counsel for the petitioner.
 Ms Tajwar Khan, AGP for the respondent Nos.1, 2 & 4.

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

DATE : 28.11.2016.

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 challenges the notice of proposed termination dated 03/10/2016.

Ms Khan, the learned Assistant Government Pleader appearing for the Scrutiny Committee, states on instructions that the caste claim of the petitioner is pending before the Scrutiny Committee and the same would be decided as early as possible.

The petitioner cannot be penalized for not producing the caste validity certificate, when her caste claim is pending. The writ petition is allowed. The impugned notice of proposed termination is quashed and set aside. The Scrutiny Committee is directed to decide the caste claim of the petitioner within fifteen months. The services of the petitioner are protected till her caste claim is decided. Order accordingly. No costs.

JUDGE

JUDGE