

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

WRIT PETITION NO.670/2016

Shri Dhanraj s/o Kedarnath Tikas

...Versus...

Chief Executive Officer, Zilla Parishad, Amravati 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 P.R. Parsodkar, Advocate for petitioner
Shri Prashant Thakre, Adv. h/f Shri Vivek Sawarkar, Adv. for respondent – Z.P.
Shri A.M. Balpande, AGP for respondent no.3

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

DATE : 05.12.2016

By this petition, the petitioner seeks a direction against the respondent – Zilla Parishad to refer the caste claim of the petitioner to the Scrutiny Committee for verification. The petitioner seeks a direction against the Scrutiny Committee to decide the caste claim within a time-frame. The petitioner seeks the protection of his services, till his caste claim is decided.

Shri Parsodkar, the learned Counsel for the petitioner states that though the petitioner has tendered the documents to the respondent – Zilla Parishad for referring the caste claim of the petitioner to the Scrutiny Committee, the same is not referred to the Scrutiny Committee till date.

Shri Thakre, the learned Counsel holding for Shri Sawarkar, the learned Counsel for the respondent – Zilla Parishad states that if the petitioner submits the caste claim to the respondent - Zilla Parishad in the proper form along with the

documents, the respondent - Zilla Parishad would refer the same to the Scrutiny Committee for verification.

Shri Parsodkar, the learned Counsel for the petitioner states that within a period of four weeks, the petitioner would submit the caste claim of the petitioner to the respondent – Zilla Parishad in the proper form along with the caste certificate and the other necessary documents.

Since the caste claim of the petitioner is not yet referred to the Scrutiny Committee and the Scrutiny Committee has not decided the caste claim, the services of the petitioner need to be protected.

In the circumstances of the case, we dispose of the writ petition with a direction to the petitioner to submit the caste claim in the proper form along with the necessary documents to the respondent – Zilla Parishad within one month and direct the respondent – Zilla Parishad to refer the same to the Scrutiny Committee within fifteen days from the date of the receipt thereof. The Scrutiny Committee is directed to decide the caste claim within fifteen months from the date of the receipt of the same. The services of the petitioner are protected till his caste claim is decided. However, if the petitioner fails to submit the caste claim in the proper form to the respondent – Zilla Parishad within one month, the respondent – Zilla Parishad is free to take appropriate action against the petitioner.

Order accordingly. No costs.

JUDGE

Wadkar

JUDGE