

IN THE COURT OF JUDICATURE AT BOMBAYNAGPUR BENCH, NAGPUR**WRIT PETITION NO. 6829/2014**(Suraj s/o Gulab Ghodmare vs. The State of Maharashtra and others)

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

Court's or Judge's order

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 Mr.M.D. Mahajan, Advocate for the petitioner
 Mr. Amit Balpande, Assistant Government Pleader for
 Respondent Nos. 1 and 4

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

DATED : 1st August, 2016

Heard.

By this Writ Petition, the petitioner seeks a direction against the respondent-Scrutiny Committee, to decide the caste claim of the petitioner within a time-frame. The petitioner seeks a direction against the respondent no.3, not to cancel the admission of the petitioner, till his caste claim is decided.

Shri Mahajan, the learned counsel for the petitioner submitted that though the caste claim of the petitioner was pending before the Scrutiny Committee, the Scrutiny Committee had not decided the same. It is stated that a direction to the Committee to decide the caste claim of the petitioner within a time-frame is necessary. It is stated that since a statement was made on behalf of the Scrutiny Committee on one of the previous dates of hearing, that the caste claim of the

petitioner is not pending with the Scrutiny Committee, the Management-respondent no.3 has again sent the caste claim of the petitioner to the Scrutiny Committee, for verification. It is stated that the Scrutiny Committee has accepted the caste claim of the petitioner on 30.7.2016.

Shri Balpande, the learned Assistant Government Pleader appearing on behalf of the Scrutiny Committee states that it appears from the endorsement that is made on the application tendered by the petitioner to the Scrutiny Committee, dated 30.7.2016, that the Scrutiny Committee has received the caste claim of the petitioner.

In view of the statements recorded herein-above, we dispose of the Writ Petition with a direction to the Scrutiny committee to decide the caste claim of the petitioner as early as possible and positively within a period of one year. Since the petitioner was not at fault in not producing the caste validity certificate, the respondent-Management is directed to protect the education of the petitioner, till his caste claim is decided. The Scrutiny Committee should ensure whether the caste claim is in the proper format and if there are any deficiencies, the petitioner should cure the same. Order accordingly. No costs.

JUDGE

JUDGE

C E R T I F I C A T E

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