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HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1565 of 2017

- Shekhar Dekate S/o Shri Chaitram Dekate, Aged About 50 Years R/o Tulsipur, Ward No. 18, Rajnandgaon, District Rajnandgaon (Chhattisgarh) Presently Posted As Assistant Grade- III At Janpad Panchayat Chhuriya, Rajnandgaon (Chhattisgarh)

---- Petitioner

Versus

1. State of Chhattisgarh Through Its Secretary, General Administration Department, Mantralaya, Mahanadi Bhawan, Naya Raipur (Chhattisgarh)

2. High Power Caste Scrutiny Committee, Through Its President-Cum-Secretary, Scheduled Caste And Scheduled Tribe Development Department, Tribal Research Training Institute, Pandit Deendayal Upadhyay Nagar, Sector- 4, Raipur (Chhattisgarh).

3. Chief Executive Officer, Zila Panchayat Rajnandgaon, District Rajnandgaon, Chhattisgarh.

4. Chief Executive Officer, Janpad Panchayat Chhuriya, District Rajnandgaon (Chhattisgarh)

---- Respondents

For Petitioner : Shri Mateen Siddiqui, Advocate
For Respondents-State : Shri Satish Gupta, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

06/04/2017

1. Referring to para 4 of the impugned memo, learned State counsel would submit that since verification of petitioner's caste status certificate is already pending before the High Power Caste Scrutiny Committee (for short 'the Committee'), the petitioner should not apprehend that he shall be terminated even without waiting for the report/order of the Committee.

2. Having heard learned counsel for the parties and having perused the material brought before this Court, it appears the impugned memo only seeks guidance from the Zila Panchayat and the opinion regarding petitioner's caste status is only tentative or prima facie opinion, which is not final unless petitioner's caste status is determined by the Committee, therefore, the writ petition is disposed of with observation that the appointing authority shall take final decision in respect of the petitioner's service only after receipt of report/order by the High Power Caste Scrutiny Committee.

Sd/-

Judge

Prashant Kumar Mishra

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