

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 3552 OF 2014**

Mr Shrikant Mangesh Thakur

....Petitioner.

Vs.

Pune Mahanagar Parivahan Mahamandal
Ltd & Anr

....Respondents

Mr Ramchandra K Mendadkar, Adv with Mr C Bhangoji for the
Petitioner.

Mr NC Walimbe, AGP for the State.

**CORAM : ANOOP V. MOHTA AND
RAVINDRA V. GHUGE, JJ.
DATE : 3 APRIL 2017.**

ORDER:-

1. None for Respondent No.2 though notice was issued for
final disposal and served accordingly.

2. On hearing the Petitioner, we inclined to dispose of the
same specifically in view of order passed by this Court in *Sudhir
Vasantrao Dhekan Vs. Joint Commissioner and Vice Chairman*

Scrutiny Committee, Nagpur & Ors¹, whereby this Court set aside the stated termination order since it was beyond the control of the Petitioner to produce the validity certificate. Same is the case here where the Petitioner, based upon the advertisement, was unable to produce the validity of his caste within prescribed period of six months. Therefore it is stated that he is discontinued from the services as a “**Kantrati Cleaner**”.

3. Admittedly the Petitioner was unable to produce the same within six months and there is no appointment letter placed on record to justify that he was appointed permanently and / or even temporarily. Even otherwise non production of certificate (basic document) itself was the issue at the relevant time.

4. We are disposing of the present Writ Petition directing the Caste Scrutiny Committee to dispose of the Petitioner's application, if pending as early as possible preferably within four months. So that the Petitioner's entitlement, if any, based upon the caste could be considered by the Respondent based upon the rights so stated to be created as referred above. However, liberty is granted to the Petitioner

¹ W.P. No. 2856 of 2010 decided on 6th August 2010 (Nagpur) Page 353.

to make representation immediately once the Caste Scrutiny Committee passed order in his favour. The Respondent to consider the same in accordance with law.

5. The Writ Petition is disposed of accordingly with liberty.

No costs.

(RAVINDRA V. GHUGE, J.)

(ANOOP V. MOHTA, J.)