

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

Writ Petition No. 2921 of 2017

(Ku. Usha Narayan Churhe ..vs.. Deputy Director ® & Member Secretary, Scheduled
Tribe Caste Certificate Scrutiny Committee, Nagpur)

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Shri. Shailesh Narnaware, Advocate for petitioner.
Smt. Kalia, AGP for respondent no.1.

**CORAM : B.P.DHARMADHIKARI &
R.B.DEO, JJ.**

DATE : 22.06.2017.

Heard Shri Narnaware, learned counsel for
petitioner, Smt. Learned AGP for respondent no.1 & 2,
none appears for respondent no. 3, though served.

Petitioner secured caste certificate dated
21.11.1985 when she was 15 years of age.

Petitioner came to be appointed with
respondent nos. 2 & 3 as Junior College Teacher on
12.7.1996. Her caste claim was invalidated by the
Scrutiny Committee on 17.4.2017.

It is not in dispute before us that the
invalidation order does not record a finding of either
fraud or forgery or the like.

In this situation, in the light of Full Bench Judgment in the case of Arun s/o. Vishwanath Sonone Vs. State of Maharashtra, through its Secretary Department of Education, Mantralaya, Mumbai 32 and Ors reported in 2015 (1) Mh.L.J. 457, the petitioner is entitled for protection of employment. The services of the petitioner shall stand protected consistent with the judgment aforesaid, subject to the petitioner furnishing an undertaking before her employer, Scrutiny Committee and this Court within a period of six weeks to the effect that neither the petitioner nor her progeny shall claim status or benefit of 'Chhatri' (ST), within six weeks from today. Petition is partly allowed. No order as to cost.

JUDGE

JUDGE