

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

WRIT PETITION NO. 3240/2017.

Yusuf Shah Akbar Shah

-VERSUS-

State of Maharashtra and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B. P. DHARMADHIKARI
AND ROHIT B. DEO, JJ.

DATE : JUNE 28, 2017.

Heard Shri A.V. Khare, learned counsel for the petitioner, Shri P.S. Tembhare, learned A.G.P. for respondent nos. 1 and 4 and Shri S.P. Palshikar, learned Counsel for respondent nos. 2 and 3.

2. Caste claim of petitioner is still not invalidated. His younger brother is given validity.

3. His employer has however, issued order terminating his services from 22.05.2017, as validity is not submitted.

4. In this situation, considering the validity given to his brother, we set aside the order dated

2

22.05.2017. Respondent nos. 2 and 3 are directed to reinstate the petitioner with continuity. His entitlement to wages for the period he was out of employment, shall be contingent upon the adjudication of his caste claim.

5. Respondent no.4 Committee is directed to expedite consideration of the caste claim of petitioner and efforts shall be made to complete the same within next one year. Till the committee passes final order within the said period, services of petitioner shall not be disturbed on the ground that he has not produced validity.

6. Writ Petition is partly allowed and disposed of. No costs.

JUDGE

JUDGE

Rgd.