

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

CONTEMPT PETITION NO.326/2016

IN
WRIT PETITION NO.4251/2015 (D)

Hanuman s/o Laxman Shrirame

...Versus...

Smt. Babita Giri, Chairman, Scheduled Tribe Certificate Scrutiny Committee,
Gadchiroli and others

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

Court's or Judge's orders

Shri P.P. Dhok, Advocate for petitioner
Shri A.M. Joshi, AGP for respondent nos.1 and 3 – State

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

DATE : 13.04.2017

By this contempt petition, the petitioner seeks action against the respondents for wilful disobedience of the directions in the order, dated 24.8.2015, directing the respondents to decide the caste claim of the petitioner within six months.

It is stated on behalf of the petitioner that though a long time has lapsed, the caste claim of the petitioner is still not decided. It is stated that the petitioner is not being appointed on the post on which he is selected as the caste claim of the petitioner is not verified.

Shri Joshi, the learned Assistant Government Pleader for the respondents - State states on instructions that in all other

matters where the caste claim is not decided as per the time frame, this Court has granted a year's time to decide the caste claim. It is stated that for a long time there was no Coram of the Scrutiny Committee and due to the lack of the Police Officers, the vigilance enquiry also could not be conducted. It is submitted that normally in this matter also time of one year would be required. It is, however, stated that in the peculiar circumstances of the case, since the petitioner's appointment is not made due to non-verification of his caste claim, the Scrutiny Committee would decide the caste claim of the petitioner within six months.

On hearing the learned Assistant Government Pleader for the respondents - State, we find that the delay in deciding the caste claim of the petitioner is not deliberate or intentional. Hence, the contempt petition cannot be proceeded against the respondents any longer. By accepting the statement made on behalf of the respondents that the caste claim would be positively decided within six months from now, we dispose of the contempt petition with no order as to costs.

JUDGE

JUDGE

Wadkar