

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 15080 OF 2017

Darshana Subhash Mudiraj

.. **Petitioner**

Versus

The State of Maharashtra and others

.. **Respondents**

Shri Pratap V. Jadhavar, Advocate for the Petitioner.

Shri K. N. Lokhande, A.G.P. for Respondent No. 1.

Shri S. B. Pulkundwar, Advocate for Respondent Nos. 2 and 3.

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**

DATE : 25th April, 2018

PER COURT :

1. Mr. Jadhavar, learned counsel for the petitioner submits that, petitioner is appointed as 'Shikshan Sevak' from open general category and not from reserved category, still show cause notice is issued to the petitioner directing petitioner to submit the documents for forwarding the proposal to the Caste Scrutiny Committee.

2. Mr. Pulkundwar, learned counsel for the respondent –

Education Officer, on instructions, submits that the Education Officer has verified the roster and he affirms that the appointment of the petitioner is from open category.

3. Considering the fact that the appointment of the petitioner is from open general category, it will not be necessary for the petitioner to submit any documents for referring it to the Caste Scrutiny Committee for validation.

4. However, the entry of the petitioner having been appointed from open general category shall be taken in the Service Book of the petitioner and also for further purposes certainly petitioner would not be entitled for benefit of reservation.

5. The impugned show cause notice is quashed and set aside.

6. Writ Petition according stands disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

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