Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 287 OF 2017

Dhananjay Sharadchandra Bagul .. Petitioner
Vs.
Shri D.P. Jagtap and ors. .. Respondents

Mr.R.K.Mendadkar a/w Ms.Priyanka Shaw, for the Petitioner.
Mr.A.I. Patel, Addl. G.P. for Respondent No.4 -State.

CORAM : R.M.SAVANT &
M.S.KARNIK, JJ.
DATE : 18th SEPTEMBER, 2018

P.C. :

. The order of which contempt is alleged has been passed on 14/07/2015 directing the Scheduled Tribe Scrutiny Committee in question to decide the caste claim of the Petitioner as belonging to Thakur, Scheduled Tribe within 4 months from the said order. The cause of filing of the Contempt Petition was that inspite of the said direction, no steps were taken by concerned Caste Scrutiny Committee to decide tribe claim of the Petitioner.

2. Today we are informed by the learned Additional Government Pleader Mr.Patel that the Scheduled Tribe Scrutiny Committee has fixed the hearing for today. Upon this, learned Counsel for the Petitioner Mr. Mendadkar states that no prior intimation was given to the Petitioner of today's hearing and that the hearing has been fixed in view of the fact that above Writ Petition is to come up before us today.

3. It seems that the hearing has been fixed post-haste as the above Writ Petition was to come up before us today. Obviously, the Petitioner and his Counsel cannot remain present before the Scrutiny Committee. We therefore direct the Petitioner to appear along with his Counsel before the Scrutiny Committee on 04/10/2018. The Scrutiny Committee may thereafter fix the schedule as per its convenience.

4. The Scrutiny Committee is further directed to decide the tribe claim of the Petitioner by giving appropriate

opportunity to the Petitioner in the matter of putting the Petitioner to notice in respect of any adverse material which is against him. We accordingly direct the Scrutiny Committee to decide the tribe claim of the Petitioner latest by 30/11/2018.

5. In view of the direction that we have issued, it is not necessary to keep the above Contempt Petition pending. The same to accordingly stand disposed of. To report compliance, put up on 03/12/2018 before the appropriate Court.

(M.S.KARNIK, J.) **(R.M.SAVANT, J.)**