

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE CIVIL JURISDICTION

WRIT PETITION NO. 9518 OF 2015

Gajanana Ramdas Lad

... Petitioner

Versus

State of Maharashtra and Ors.

... Respondents

WITH

WRIT PETITION NO. 9560 OF 2015

Gajanan Shridhar Chechare

... Petitioner

Versus

State of Maharashtra and Ors.

... Respondents

Adv C.K. Bhanagoji for the petitioners.

Mr. Sandeep Babar, AGP for the respondent State.

**CORAM : SHANTANU KEMKAR &
NITIN W. SAMBRE, JJ.**

DATE : JUNE 11, 2018

P.C.:

. Feeling aggrieved by the termination order dated 7th June, 2002 (Exhibit "B") passed by the second Respondent on the ground that the Petitioners' caste validity claim has been rejected by the Caste Scrutiny Committee, the Petitioners have filed these Petitions seeking protection from the termination of service on the

basis of Full Bench Judgment of this Court in the case of **Arun Sonone and Ors. vs. State of Maharashtra** reported in **2015 (1) Mh.L.J. 457.**

2. We find that to challenge the action which was taken in the year 2002 on the basis of the decision of the Caste Scrutiny Committee, the Petitioner has approached this Court in the year 2015 without explaining the delay of more than 13 years. In the circumstances, on the ground of delay and laches alone, the Petitions deserves to be and are hereby dismissed.

3. Apart from that the judgment on the basis of which the relief of protection from termination of services has been sought i.e. **Arun Sonone and Ors. vs. State of Maharashtra** reported in **2015 (1) Mh.L.J. 457** has already been overruled by the Hon'ble Supreme Court in the case of **Chairman and Managing Director, FCI vs. Jagdish B. Bahira** reported in **2017 (8) SCC 670.**

4. Keeping in view the aforesaid, apart from the ground of delay and laches, we dismiss both the Petitions on merits also.

(NITIN W. SAMBRE, J.)

(SHANTANU KEMKAR, J.)