

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

WRIT PETITION NO.2649/2018

Roshan S/o Ashokrao Nimje

..Vs..

Joint Commissioner & Vice-Chairman, Scheduled Tribe Caste Certificate
Scrutiny Committee, Amravati Division, Amravati and others

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

Court's or Judge's orders

CORAM : B.P. DHARMADHIKARI AND Z.A.HAQ, JJ.
DATED : 26.6.2018.

1. Heard Advocate Shri S.R. Narnaware for petitioner, Ms. H.N. Prabhu, learned A.G.P. for respondent No.1 and Advocate Ms. M.P. Munshi for respondent No.2.

2. In terms of order dated 12th June, 2018 affidavit is filed by Research Officer of respondent No.1 - Committee explaining the circumstances contributing to delay in adjudication of caste claim. We find that post of Joint Commissioner / Vice-Chairman was vacant since September, 2017.

3. Facts at hand show that direction was issued by this Court on 22.3.2013 to decide caste claim within four months in Writ Petition No.5507/2012. In second Writ Petition No.1960/2016 on 31.3.2016 time of 15 months was given.

4. In this situation, excuse that post was lying vacant from September, 2017 is hardly relevant.

5. However, learned A.G.P. has pointed out that on 15th June, 2018 orders have been passed by Scrutiny Committee finally on caste claim and same have been dispatched to petitioner on 22nd June, 2018. Learned A.G.P. has got its copy sent to his office by Scrutiny Committee.

6. We, in this situation, direct office of Government Pleader to serve a photocopy of that order upon counsel for petitioner by way of abundant precaution.

7. Without observing anything more and with liberty to petitioner to take such other steps as are open in law, we **dispose of** writ petition. No costs.

8. The prayer to release degree is kept open and will be considered as and when occasion therefor arises.

JUDGE

JUDGE