

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 3872/2017

(SHUBHAM SANJAY ZADE **VERSUS** THE STATE OF MAHARASHTRA & OTHERS)

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

Court's or Judge's orders

Shri S.D. Harode, counsel for the petitioner.
 Shri A.M. Joshi, counsel for the R-1 & 3.

CORAM : SMT. VASANTI A NAIK AND
A.D. UPADHYE, JJ.

DATE : FEBRUARY 14, 2018.

By this writ petition, the petitioner seeks a direction against the scrutiny committee to decide his caste claim within the time frame. The petitioner seeks a direction against the respondent no.2 to protect the education of the petitioner till his caste claim is decided.

Shri Joshi, the learned Assistant Government Pleader appearing for the scrutiny committee states on instructions that the caste claim of the petitioner is pending with the scrutiny committee. It is stated that the vigilance enquiry is conducted in the caste claim of the petitioner and the same would be decided as early as possible.

Since the caste claim of the petitioner is pending for verification and since the petitioner is not at fault in not producing the caste validity certificate, we dispose of the writ petition with a direction to the respondent no.3-Scrutiny Committee to decide the caste claim of the petitioner within nine months and with a direction to the respondent no.2 to protect the education of the petitioner till his caste claim is decided only on the condition that the petitioner tenders an undertaking to the respondent no.2 within two weeks that in case the petitioner's caste claim is invalidated, the petitioner would pay the fees that are liable to be paid by the open category students.

Order accordingly. No costs.

JUDGE

JUDGE

APTE