

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

WRIT PETITION NO.7009/2017

Ranjana Sanjay Yadav

...Versus...

State of Maharashtra, through Collector, Chandrapur and others

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

Court's or Judge's orders

Shri A.P. Satpute, Counsel for petitioner
Shri A.S. Fulzele, Addl. G.P. for respondent nos.1 and 3
Shri M.I. Dhattrak, Counsel for respondent no.2

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

DATE : 15/01/2018

According to the petitioner, though her caste claim is submitted to the Scrutiny Committee for verification, the Scrutiny Committee is not deciding the same.

It is stated that the petitioner is elected as a Councillor on a seat meant for the Other Backward Classes and if the office of the petitioner is not protected till her caste claim is decided, she would suffer a grave and irreparable loss.

Shri Fulzele, the learned Additional Government Pleader appearing for the Scrutiny Committee states, on instructions, that the caste claim of the petitioner is pending before the Scrutiny Committee and the case of the petitioner is referred to the Vigilance Cell for an enquiry. It is submitted that the caste claim of the petitioner would be decided in accordance with law as early as possible.

Since the caste claim of the petitioner is still pending, we dispose of the writ petition with a direction against the respondent no.3 – Scrutiny Committee to decide the caste claim of the petitioner as early as possible and positively within eight months. Since the petitioner is elected as a Councillor, the office of the petitioner is protected till her caste claim is decided or till the matter in the case of *Anant H. Ulahalkar* is decided by the Hon'ble Supreme Court.

Order accordingly. No costs.

JUDGE

JUDGE

Wadkar