

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

**WRIT PETITION NO.8276/2017**

**Ku. Sanghmitra Bandu Ture**

**...Versus...**

**The Caste Scrutiny Committee, Gadchiroli, through its Member Secretary and others**

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

Shri G.G. Bade, Counsel for petitioner  
Shri K.L. Dharmadhikari, AGP for respondent nos.1 & 4

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

**DATE : 31/01/2018**

The learned Counsel for the petitioner states that though the petitioner had challenged the order dated 28/8/2017 by which the Scrutiny Committee has returned the caste claim of the petitioner with a direction to present the same before the Yavatmal Committee, the petitioner gives up the said prayer and present the caste claim before the Yavatmal Committee. It is stated that since the petitioner is admitted in the College, the education of the petitioner may be protected, till her caste claim is decided.

In the circumstances of the case, we permit the petitioner to submit her caste claim to the Scrutiny Committee at Yavatmal – respondent no.4 to the writ petition, within six weeks.

The caste claim should be tendered by the petitioner to the Yavatmal Committee, on-line, in the proper form. If the petitioner submits her caste claim to the Yavatmal Committee, within six weeks, the Yavatmal Committee should decide the same as early as possible and positively within one year. The education of the petitioner needs to be protected till her caste claim is decided.

Hence, we dispose of the writ petition with a direction to the petitioner to submit her caste claim to the respondent no.4 – Scrutiny Committee, on-line, and in the proper form, within six weeks. The education of the petitioner is protected on the condition that the petitioner furnishes an undertaking to the respondent no.2 within two weeks that the petitioner would pay the arrears of fees and regular fees that are liable to be paid by the open category students, if her caste claim is invalidated. The respondent no.4 – Committee is directed to decide the caste claim of the petitioner within one year from the date of receipt of the same. If the petitioner fails to submit the caste claim to the respondent no.4 – Committee within six weeks, the respondent no.2 is free to take appropriate action against the petitioner.

Order accordingly. No costs.

**JUDGE**

**JUDGE**