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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12774 OF 2019**

Anandkumar Satyapa Koli

...Petitioner

VS.

State of Maharashtra & Ors.

...Respondents

Mr.C.K.Bhangoji for the petitioners

Ms G.V.Shinde, AGP for State

Mr.A.R.Pitale, for the respondent No.3

**CORAM : RANJIT MORE &
SURENDRA P.TAVADE, JJ.**

DATE : DECEMBER 13, 2019.

P. C. :

. The petitioner claims to be belonging to “Koli Mahadev”, Scheduled Tribe. He was granted certificate to that effect on 30th November 1977. On the basis of the said certificate, he got employment with respondent No.3 on 6th July 1984. The caste certificate of the petitioner was sent for verification to respondent No.3-Maharashtra Jivan Pradhikaran through Chief Administrative Officer, Navi Mumbai. In view of Government Resolution dated 18th May 2013, respondent No.3 forwarded the caste certificate of the petitioner to respondent No.2-Scheduled Tribe Certificate Scrutiny Committee, Pune Division, Pune. However, the caste claim of the petitioner is still remained pending and same is to be decided. Meanwhile on 20th November 2019, the petitioner has received a communication from respondent No.3 to produce caste verification

certificate before his retirement from the Scrutiny Committee otherwise his retirement benefit will be withheld. It is pointed out in the notice that the petitioner is due for superannuation on 31st December 2019. However, despite the caste claim of the petitioner is pending with respondent No.2-Committee, respondent No.3 had issued the aforesaid communication. Hence, petitioner has approached this Court for limited relief seeking direction to respondent No.2 to decide his caste claim expeditiously.

2 Since the petitioner is seeking relief coupled with the fact that verification of his caste claim is pending with respondent No.2-Committee since last more than six years, we dispose of this petition by passing the following order:

ORDER

(I) Respondent No.2- Scheduled Tribe Certificate Scrutiny Committee, Pune Division, Pune is directed to decide the caste claim of the petitioner as expeditiously as possible and in any event within a period of six months from the date of receipt of copy of this order:

(II) Till the decision of the petitioner's caste claim by respondent No.2, no coercive action shall be taken against the petitioner on the basis of the communications dated 31st October 2019 and 20th November 2019 which are impugned in this petition;

(III) Respondent No.2 shall decide the caste claim of the petitioner independently on its own merits and in accordance with law;

(IV) It is made clear that we have not gone into the merits of the matter and all points and contentions of the respective parties are kept open:

(V) All concerned to act upon an authenticated copy of this order.

[SURENDRA P.TAVADE, J.]

[RANJIT MORE, J.]