

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

WRIT PETITION NO. 3241 OF 2020

PETITIONER :- Raghunath Ramaji Barekar, aged ab out 58 years, Occup.Service as Peon, at Rajiv Gandhi, Vidyalaya, Masal(BK). Tah. Chimur, Dist. Chandrapur.

...VERSUS...

RESPONDENTS :-1. The Committee for Scrutiny and Verification of Tribe Claim, Gadchiroli, through its Chairman, Complex Area, Near Zilha Parishad Sankul,Gadchiroli.

2. State of Maharashtra, through its Secretary, Tribal Development Department, Mantralaya, Mumbai 32.

3. Head Master, Rajiv Gandhi Vidyalaya, Masal (Bk). Tah.Chimur, Dist. Chandrapur

Mr. R.D.Murkute, counsel for the petitioner.
Mr.A.M. Deshpande, Addl.G.P for respondent nos.1 and 2

**CORAM : SUNIL B.SHUKRE &
AVINASH G. GHAROTE, JJ.**
DATE : 08.12.2020.

O R A L J U D G M E N T (Per :Sunil B.Shukre, J.)

1. Heard learned counsel for the petitioner and Shri.A.M. Deshpande, learned Addl. G.P appearing for respondent nos.1 and 2 by waiving notice. There is no need to issue notice to

the respondent no.3 as primarily, the prayer is for issuance of Mandamus to the Scrutiny Committee for deciding the claim within a certain period of time in accordance with law.

2. Rule. Rule made returnable forthwith. Heard finally by consent of the learned counsels appearing for the parties.

3. A limited prayer has been made in this petition, it is about making the decision by the Scrutiny Committee, time bound. Such prayer can always granted, especially when, the caste claim of the petitioner according to him, is pending since December 2012 for its decision thereon by the respondent no.1 Scrutiny Committee. Accordingly, the petition is partly allowed.

4. Respondent no.1 Scrutiny Committee is directed to decide the caste claim of the petitioner, in accordance with law, within a period of six months from the date of appearance of the petitioner before it. The petitioner is directed to appear before the respondent no.1 on **14th December 2020** and render all his co-operation to the Scrutiny Committee to enable it to appropriately

decide the claim within the time period prescribed under this order.

Rule is made absolute accordingly.

JUDGE

JUDGE