

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

WRIT PETITION NO.3238/2020

PETITIONER : Ajay S/o Namdeo Gajabhi
Aged 28 years, Occupation -
Service, R/o At. Katwal (Tukum),
Post. Viloda, Ta. Bhadrawati,
Dist. Chandrapur.

...VERSUS...

RESPONDENTS: 1. State of Maharashtra,
Tribal Development Department,
through its Secretary, Mantralay,
Madam Kama Road, Mumbai – 400032.

2. Scheduled Tribes Caste Certificate
Scrutiny Committee, Gadchiroli,
Through its Member Secretary, Zilha
Parishad Complex Area, Gadchiroli.

3. The Chief Executive Engineer, EHV
PC O&M Zone Karad, Office at :
Administrative Building, Ground
floor, Vijay Nagar, Karad,
Post, Supne, Ta. Karad,
Dist. Satara – 415 114.

Shri Shankar Borkute, Advocate for petitioner
Shri A.A. Madiwale, A.G.P. for respondent nos.1 and 2

**CORAM : SUNIL B. SHUKRE AND
AVINASH G. GHAROTE, JJ.**
DATE : 08/12/2020

ORAL JUDGMENT (PER : SUNIL B. SHUKRE, J.)

1. Heard Shri Borkute, learned Counsel for the petitioner and Shri A.A. Madiwale, learned Assistant Government Pleader, who appears by waiving notice for the respondent nos.1 and 2. There is no need to issue notice to the respondent no.3, he being a formal party.

2. Rule. Rule made returnable forthwith. The writ petition is heard finally with the consent of the learned Counsel for the parties.

3. The learned Counsel for the petitioner has not pressed prayer clause (ii) and seeks relief from this Court only in terms of prayer clause (i) and therefore, we have taken up this matter for final hearing immediately.

4. The first prayer is limited and it is in the nature of the decision making by the respondent no.2- Scrutiny Committee time-bound. Such prayer can be considered and granted specifically since there is a pressure being brought upon the petitioner to submit his caste validity certificate.

5. In the result, the writ petition is partly allowed. The respondent no.2 – 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 the respondent no.2. The petitioner is directed to appear before the respondent no.2 – Scrutiny Committee on 14/12/2020.

The service of the petitioner shall stand protected till the caste claim is decided in accordance with this order.

Rule is made absolute in the aforesaid terms. No order as to costs.

JUDGE

JUDGE

Wadkar

Shailendra
Wadkar

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by Shailendra
Wadkar
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