

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

WRIT PETITION NO.4329/2017

Mohd. Shakil Mohd. Haneef

Vs.

The State of Maharashtra, through its Secretary, Tribal Welfare Department and others

*Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.*

Court's or Judge's Orders

Shri G.G.Mishra, Advocate for petitioner.

Shri K.L.Dharmadhikari, Assistant Government Pleader for
 respondent nos. 1 and 3.

Shri S.A.Chaudhari, Advocate for respondent no.2.

CORAM : A.S.CHANDURKAR and VINAY JOSHI, JJ.

DATE : January 28, 2020.

Rule. Heard finally considering the short issue
 involved.

The petitioner seeks to refer his caste claim to the District Caste Certificate Scrutiny Committee, Buldhana. The petitioner has been appointed on the post of 'Shikshan Sevak' with the respondent no.2-Municipal Council, Chikhali, District Buldhana, on 06.07.1998. The petitioner claims to belong to 'Momin' which falls in OBC category. Initially the caste claim of the petitioner was forwarded to the Scrutiny Committee at Akola which on 19.01.2015 returned the same for want of necessary documents. The petitioner was issued a communication by the Chief Officer, Municipal Council, on 07.06.2017 calling upon him to submit validity certificate. In these circumstances, the petitioner has approached this Court.

In the meanwhile on 24.04.2017 the son of the petitioner has been issued a validity certificate by the Scrutiny Committee at Buldhana.

After hearing the learned counsel for the parties the interests of justice would be served by issuing the following directions :

(i) The petitioner within a period of fifteen days from today shall furnish all relevant documents to his employer-respondent no.2 to enable the employer to forward the caste claim of the petitioner to the Scrutiny Committee at Buldhana. The said caste claim be accordingly forwarded within a period of one month from today.

(ii) The petitioner shall thereafter appear before the Scrutiny Committee on **02.03.2020**. The Scrutiny Committee shall decide the caste claim of the petitioner within a period of **six months** from that date.

(iii) The services of the petitioner shall stand protected till the decision of the Scrutiny Committee.

With these directions, the writ petition stands disposed of. Rule accordingly. No orders as to costs.

JUDGE

JUDGE

Andurkar..