

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 729 OF 2021

Tulsidas s/o Shankar Nikam	... Petitioner
Versus	
The State of Maharashtra and Ors.	... Respondents

Mr. Onkar A. Wable h/f Mr. Deepak D. Choudhary, for the Petitioner.
Mrs. A.A. Purav, AGP, for State-Respondents.

**CORAM : R. D. DHANUKA &
V. G. BISHT, JJ.**

DATE : 6th April, 2021.

PC:

Learned AGP for the respondent-State has placed *a* copy of the letter dated 16th March, 2021 addressed by the respondent informing that the respondent has already deposited a sum of Rs.4,03,250/- towards pension amount for the period of 01/09/2018 to 28/02/2021 in this Court. She further states that on 1st April, 2021 the respondent no. 4 has passed an order rejecting the caste claim of the petitioner and has also passed an order of confiscation and cancellation of the caste certificate obtained by the petitioner. She states that the said order would be conveyed to the petitioner within one week from today. Petitioner would be at liberty to challenge the said order.

2 In view of the aforesaid reasons, nothing survives in this Petition. Writ Petition is disposed of accordingly as infructuous with no order as to costs.

3 Since respondent no.4 has rejected the caste claim of the petitioner, we are not inclined to pass any order for withdrawal of the said amount deposited by the State Government towards pension.

4 The petitioner would be at liberty to apply for an appropriate relief in respect of the said amount in the petition proposed to be filed, if any.

5 Office is accordingly directed to invest the said amount in the fixed deposit of a nationalized bank initially for a period of six months and thereafter for like period after obtaining further orders from this Court.

6 It is made clear that this Court has not expressed any views on the merits of order passed by Respondent No.4 rejecting the caste claim of the petitioner. All the contentions of parties in so far as that order are kept open.

(V. G. BISHT, J.)

(R. D. DHANUKA, J.)