

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 6962 OF 2021

Abhijit S/o Ravindra Pawar

...Petitioner

vs.

The State of Maharashtra
Dept. of Tribal Development
Thr. Secretary and Ors.

...Respondents

Mr. S. C. Yeramwar - for the Petitioner
Mr. R. S. Pawar - for the Respondent-State.

**CORAM : PRASANNA B. VARALE &
S. M. MODAK, JJ.**

DATE : 18th NOVEMBER, 2021

PER COURT:-

- . Heard the learned counsel for the Petitioner.
2. The limited grievance is raised before this Court by way of present petition. This is a second round of proceedings initiated at the instance of Petitioner in this Court.
3. Our attention was invited to the order of this Court placed on record Exh. D page 23 of the petition, the Petitioner had submitted his Caste validity claim before the Respondent No. 2-Scrutiny Committee, on 30th June 2006. As the claim was pending for the considerable length of period, the Petitioner approached this Court

seeking directions to Committee to decide the claim. Vide order dated 8th March 2018, in Writ Petition No. 2906 of 2018, Division bench of this Court was pleased to direct the Scrutiny Committee to decide the claim of the Petitioner expeditiously and not later than four months from the date of receipt of copy of order of this Court. The Petitioner was permitted to appear before the Scrutiny Committee on 21.03.2018 at 11 a.m.

4. The learned counsel Mr. S. C. Yeramwar, appearing for the Petitioner submitted that in compliance of the order of this Court, the Petitioner appeared before the Committee on 21st March, 2018 alongwith necessary documents. Waiting for a considerable period when there was no progress in the matter; the Petitioner issued a notice to the Committee. Even the notice could not make any difference except the Petitioner to keep waiting for the decision. The Petitioner as such left with no choice is again approaching this Court seeking direction to the Committee.

5. Learned AGP submitted before this Court that as per his instructions, the claim of the Petitioner would be decided at the earliest and the delay caused in deciding the claim was due to non-availability of some members.

6. Learned AGP submits that one more chance to be given to the Committee. In view of the submission of the learned AGP, we deem it appropriate to dispose of the petition with direction to Respondent No. 2 – Scrutiny Committee to decide the Caste claim of the Petitioner within one month from today. We further make it clear that the period of one month is to be treated as a last opportunity granted to the Committee failing which, this Court may pass certain orders apart from an order being invited for committing willful breach of the order of this Court.

7. The Petition is disposed of with these observations.

8. The learned counsel for the Petitioner invited our attention to a notice issued to the Petitioner at the instance of his Employer which is placed on record Exh. J, page 78. The Respondent No. 3 is directed not to take any coercive action in pursuance to the communication dated 01.10.2021 for a period eight weeks from today.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)