

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

WRIT PETITION NO. 10474/2019

Prakash Lotan Thakur

..... Petitioner

Vs.

State of Maharashtra & Ors.

..... Respondents

Mr.Chintamani Bhangoji I/b. R. K. Mendadkar for the
Petitioner

Mr. A. I. Patel, Add. GP for Respondent Nos.1 and 2.

**CORAM: K.K.TATED &
RIYAZ I. CHAGLA, JJ.**

**DATED : JULY 1, 2021
(VIDEO CONFERENCING)**

P.C.

1 Heard.

Rule.

By consent of the parties, Rule is made returnable
forthwith.

2 By this petition under Article 226 of the Constitution
of India, the Petitioner is seeking a limited prayer that
Respondent No.2 Scheduled Tribe Caste Certificate Scrutiny
Committee, Nandurbar Division to decide their Application
dated 23.07.2013 as early as possible because the Petitioner
has already retired on 31.03.2019. For want of caste
validity certificate, his pensionary benefits are not released
by the Respondent.

3 The learned counsel for the Petitioner submits that the Vigilance Cell, after making an inquiry, filed its report before Respondent No.2 On 31.03.2015. He submits that the matter is pending for hearing.

4 The learned counsel for the Respondents submits that if this court directs Respondent No.1 to decide the Petitioner's Application dated 23.07.2013, as early as possible, in that case, this Hon'ble Court be pleased to grant some reasonable time.

5 Considering the submissions made by the learned counsel for the parties and as the Petitioner's Application is pending since 23.07.2013 and the Vigilance Report has already been filed on 31.03.2015, we satisfy that the Petitioner has made out a case for allowing the Writ Petition.

6 Hence, the following order is passed:

a. Respondent No.2 Scheduled Tribe Caste Certificate Scrutiny Committee, Nandurbar Division to decide the Petitioner's Application dated 23.07.2013 as early as possible, but in any case, on or before 31.12.2021 and communicate the order in writing to the Petitioner or his Advocate, immediately thereafter.

b. Rule is made absolute accordingly.

c. Writ Petition stands disposed of in terms of the above.

d. No order as to costs.

(RIYAZ I. CHAGLA, J.)

(K.K.TATED, J.)