

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

WRIT PETITION NO.3006 OF 2022

Naresh Manohar Sushibine, Ganjakheth Chowk, Nagpur

-vs-

The Superintendent, RMS 'F' Division, GPO Building, Nagpur and ors.

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

Court's or Judge's Orders.

Shri A. A. Dhawas, Advocate for petitioner.

Shri N. S. Deshpande, A.S.G.I. for respondent Nos.1 and 2.

Ms K. S. Joshi, I/c Government Pleader for respondent No.3.

CORAM : A. S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.

DATE : July 26, 2022

P.C.

Civil Application No.1582/2022

Since the petitioner seeks to pray for early adjudication of his tribe-claim, the amendment is granted. The same be carried out forthwith. Civil Application is allowed and disposed of.

Writ Petition No.3006/2022

The petitioner while in service with the respondent No.2 was called upon to submit validity certificate since he claims to belong to 'Halba' Scheduled Tribe. Since the validity certificate was not submitted, the respondent No.2 terminated the services of the petitioner on 08/09/2020. The petitioner sought review of that order and on 14/06/2021 that application has also been rejected. In these facts the petitioner prays that the Scrutiny Committee may be directed to decide the tribe-claim of

the petitioner which is still pending.

In view of aforesaid, Rule. Rule made returnable forthwith. Respective counsel waive notice of hearing.

The writ petition is disposed of by directing the Scrutiny Committee to decide the petitioner's tribe-claim if not already decided, expeditiously and preferably within a period of six months from the date the petitioner appears before the Scrutiny Committee. The petitioner shall appear before the Scrutiny Committee on 11/08/2022. The decision taken shall be communicated to the petitioner. The challenge to the order of termination and the order passed on the review application is kept open for being raise before the appropriate forum.

The writ petition is disposed of in aforesaid terms with no order as to costs.

(Urmila Joshi-Phalke, J.)

(A. S. Chandurkar, J.)

Asmita