

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

WRIT PETITION NO.851 OF 2021

Suresh S/o Darva Bais, R/o Kothari Watika No.2, Malkapur, Akola

-vs-

State of Maharashtra, Thr. Its Secretary, General Administrative Dept. Mantralaya, Mumbai
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 Ram Karode, Advocate for petitioner.

Smt H. N. Jaipurkar, Assistant Government Pleader for respondent
Nos.1 and 2.

Shri N. J. Patil, Advocate for respondent No.4.

CORAM : A. S. CHANDURKAR AND PUSHPA V. GANEDIWALA, JJ.

DATE : January 31, 2022

Smt H. N. Jaipurkar, learned Assistant Government Pleader on instructions submits that on 28/10/2021 the caste-claim of the petitioner has been invalidated.

The challenge in this writ petition is to the order dated 20/08/2020 passed by the respondent No.4 placing the petitioner on a supernumerary post. It is the case of the petitioner that such order could not have been passed as the petitioner's caste-claim was pending. However, in view of adjudication of the petitioner's caste-claim, it is now not necessary to decide the challenge to the order dated 20/08/2020 on merits. However, it would be open for the petitioner to take appropriate steps to challenge the order of invalidation if he is so aggrieved.

In view of aforesaid, by accepting the statement made by the learned Assistant Government Pleader, the writ petition is disposed of. The points raised in the writ petition are kept open.

The respondent No.2-Caste Scrutiny Committee shall serve copy of the order dated 28/10/2021 on the petitioner as well as the respondent No.4.

No costs.