

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

Writ Petition No. 5423 of 2021

[Darbarsingh son of Narayansingh Rajput ..vs.. The State of Maharashtra, through its Secretary, Social Justice and Empowerment Department and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. D. M. Kale, Advocate for the petitioner
Mr. M. K. Pathan, A.G.P. for the State/respondents 1 to 3

**CORAM : ROHIT B. DEO AND
ANIL L. PANSARE, JJ.**

DATED : 24-8-2022

The submission of learned counsel, Mr. Kale is that the petitioner was as a fact appointed not on reserved post but in General category.

2. We note that in the petition, the challenge is to the judgment of the caste scrutiny committee.

3. We have perused the record and having done so, we are satisfied that the judgment of the caste scrutiny committee calls for no interference.

4. However, we refrain from recording elaborate reasons since the learned counsel for the petitioner is seeking leave to withdraw the petition with liberty to approach Maharashtra Administrative Tribunal with the contention that since the petitioner was not appointed

against reserved post, his pension cannot be withheld due to judgment of the caste scrutiny committee.

5. Petition is disposed of as withdrawn with liberty as prayed.

(Anil L. Pansare, J.)

(Rohit B. Deo, J.)

wasnik