

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

WRIT PETITION NO. 6027/2019

(KANTA SHYAMRAOJI KANOJE **VERSUS** THE STATE OF MAHARASHTRA & OTHERS)

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

Court's or Judge's order

Shri A.Parchure, counsel for the petitioner.
 Shri A.M. Deshpande, Additional G.P. for the R-1 & 3.
 Shri Shaikh Majid, counsel for the R-2.
 Shri N.S. Deshpande, counsel for the R-4 & 5.

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

DATED : 07TH JANUARY, 2022.

C.A.W. NO.1826/2021.

The respondent no.2 has moved this application seeking directions to be issued to the petitioner to produce an order dated 17.01.2001 passed by the Divisional Scheduled Caste Verification Committee, Nagpur invalidating the claim of the petitioner of belonging to Balai-Scheduled Caste.

It is submitted by the learned counsel for the petitioner that subsequently the petitioner has been granted a validity certificate of belonging to Sutar-O.B.C.

The prayer made in the writ petition is to grant the petitioner benefit of 25% graduate pay-scale from July-1994. In view of the fact that the petitioner has now been granted a validity certificate of belonging to O.B.C. category, the prayer made in the writ petition would be required to be adjudicated on that basis. The order of invalidation therefore would not be of much importance considering the fact that the services of the petitioner were approved on 15.03.2013 and that she has continued in service for all this period. The aspect of invalidation is not found relevant in the light of the prayers made in the writ petition. On this ground, the civil application is rejected.

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The respondent no.2 is permitted to file an additional affidavit in view of grant of validity certificate dated 12.02.2015 and its effect on the prayers made in the writ petition.

(SMT. PUSHPA V. GANEDIWALA, J.)

(A. S. CHANDURKAR, J.)

Signed By: Digitally signed
by Smt. Pushpa V. Ganediwala
Signing Date: 12.01.2022 17:57