

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 WRIT PETITION NO.5185 OF 2023

ANANT BHALCHANDRA GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

...
Advocate for Petitioners : Mr. Chandrakant R. Thorat
AGP for Respondents: Mr. S.P. Tiwari
.....

**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 3rd MAY, 2023.**

PER COURT :-

1. This is yet another example of the Caste Scrutiny Committee showing scant respect to the order of this court and having kept the proceeding of the Petitioner pending for 11 years, practically refusing to obey our orders.

2. We have considered the submissions of the learned advocate for the Petitioner and the learned A.G.P. who appears on behalf of all the Respondents. The Petitioner's proposal for seeking validation of his Thakar S.T. category claim is pending since 18.01.2012. On 07.01.2021, this Court (Coram: S.V. Gangapurwala and Shrikant D. Kulkarni, JJ.) passed an order in Writ Petition No. 8476 of 2020 observing that "*Eight years is too long a period for keeping the matter pending*" and, therefore, granted only six months time to decide the proceeding. The Petitioner has tendered his

written submissions in response to the notice pursuant to the completion of the Vigilance Cell enquiry, on 30.03.2022. Yet, the matter is kept pending for 13 months despite the order of this Court, dated 07.01.2021.

3. In this matter, we are unable to show leniency to the Members of the committee, who were bound to decide the claim of the Petitioner pursuant to the directions of this Court, dated 07.01.2021. The concerned Committee Members, since 07.01.2021, are as under:-

Senior Research Officer

Sr. No.	Name of the Officer	Period	
		From	To
1	Smt. P.A. Shelke	28.06.2021	17.08.2022
2	Smt. C.D. More	20.07.2021	Till today

Deputy Directors

Sr. No.	Name of the Officer	Period	
		From	To
1	Shri Vijaykumar M. Katke	14.01.2021	17.08.2022
2	Smt. C.D. More	20.01.2023	11.04.2023
3	Shri Sachin Jadhav	22.04.2023	Till today (creation of new post.)

Assistant Commissioners

Sr. No.	Name of the Officer	Period	
		From	To
1	Shri Dinkar Pawra	27.07.2021	04.04.2022
2	Smt. Sangeeta Chavan	21.04.2022	Till today

4. In view of the above, **this Petition is disposed off**, with the following directions:-

- a) Except Shri Sachin Jadhav, who has joined only 11 days prior to this order, each of the Committee Members shall deposit an amount of Rs.5,000/- (Rupees Five thousand only) from their salary account in this Court, within 45 days from this order.
- b) As the hearing in the pending case is scheduled on 12.05.2023, the Committee shall deliver it's order on or before 31.07.2023.
- c) Respondent Nos. 2, 3 and 4 shall not dispense with the service of the Petitioner until 31.07.2023 or till the date on which the committee decides the claim of the Petitioner, whichever is earlier.
- d) In case the committee passes an adverse order against the Petitioner, the same would not take effect for a period of 15 days to enable the Petitioner to avail the remedy, as is permissible in law.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

rlj/