



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

WRIT PETITION NO. 1571 OF 2018

Shri w/o Samir Dafade Vs. The Principal Secretary, Law and Judiciary Department, Mantralaya,
Mumbai and others)

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

Court's or Judge's orders

Mr. P.B. Patil, Advocate for petitioner.

Ms. N.P. Mehta, Additional Government Pleader for respondent Nos.1,3
and 5.

Mr. L.S. Borkar, Advocate h/f Mr. A.Z. Jibhkate, Advocate for respondent
No. 4.

**CORAM : NITIN W. SAMBRE &
ABHAY J. MANTRI, JJ.**

DATED : 20-08-2024

Mr. Patil, the learned Counsel for the petitioner, on instructions, submits that except the directions issued in the impugned order of action under the provisions of Sections 10(1)(2) and 11(1)(2) of the Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 ("the Act", for short), the petitioner is accepting the order of invalidation.

2. Mr. Patil submits that the petitioner has given up her employment, which she had obtained on the basis of the claim of belonging to "Halba" (Scheduled Tribe) and has secured new employment from 21.10.2008 in Open Category with some other employer.

3. Since the petitioner has given up her claim as against the seat reserved for Scheduled Tribe candidate in the employment prior to the date of passing of the

impugned order, we deem it appropriate to quash and set aside the directions to the extent of action to be initiated against the petitioner under Sections 10(1)(2) and 11(1)(2) of the Act.

4. The petition stands partly allowed in the above terms.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)

Belkhede