

ITEM NO.38

COURT NO.10

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 8777/2016

(Arising out of impugned final judgment and order dated 27/01/2016 in WP No. 538/2016 passed by the High Court Of Bombay At Nagpur)

SANJAY BHASKAR RAIMULKAR

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA AND ORS

Respondent(s)

(with appln. (s) for exemption from filing c/c of the impugned judgment and exemption from filing O.T.)

Date : 11/04/2016 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s) Mr. Abhishek Manu Singhvi, Sr. Adv.
Mr. P. Chidambaram, Sr. Adv.
Mr. Dilip Annasaheb Taur, Adv.
Mr. Amol Deshmukh, Adv.
Ms. Kancha Vohra, Adv.

For Respondent(s) Mr. Sanjay R. Hegde, Sr. Adv.
Mr. Pratik R. Bombarde, Adv.
Mr. S. A. Sardar, Adv.
Mr. Sumit Kumar, Adv.
Ms. Kumari Supriya, Adv.

UPON hearing counsel the Court made the following
O R D E R

Heard Dr. Abhishek Manu Singhi and Mr. P. Chidambaram, learned senior counsel appearing for the petitioner as well as Mr. Sanjay R. Hegde, learned senior counsel appearing for Respondent No. 5, at some length.

In the nature of the order we propose to pass, we do not think it proper to refer to the facts in detail. The issue essentially pertains to the dispute on the caste status of the

petitioner. We find that Writ Petition No. 538 of 2016 on that issue filed by the petitioner is pending before the High Court.

The petitioner is aggrieved since the High Court has declined an interim order, staying the operation of the order passed by the Scrutiny Committee with majority of 2:1.

Be that as it may, since the writ petition itself is pending, we feel it appropriate that in the facts and circumstances of this case, the High Court should dispose of the writ petition itself expeditiously.

Therefore, this Special Leave Petition is disposed of with a request to the High Court of judicature of Bombay, Bench at Nagpur, to dispose of the writ petition expeditiously and preferably before the summer vacation.

Needless to say that the writ petition will be disposed of uninfluenced by any of the observations and findings as contained in the impugned order dated 27.01.2016.

Mr. Sanjay R. Hegde, learned senior counsel, points out that despite the orders have been passed on 27.01.2016, the petitioner has not been visited with any adverse orders from any authority. We make it clear that in case any adverse action against the petitioner is proposed on the basis of the order passed by the Scrutiny Committee, it will be open to the petitioner to approach the High Court afresh, in which case, the High Court may consider the same on its own merit and the order dated 27.01.2016 already passed by the High Court may not stand in the way of the High Court considering the prayer.

With the above observations and directions, the Special Leave Petition is disposed of.

Pending interlocutory applications, if any, are disposed of.

(Jayant Kumar Arora)
Sr. P.A.

(Renu Diwan)
Court Master