



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

WRIT PETITION NO. 663/2021

Shyamsundar S/o. Shankarrao Shinde Vs. The District Caste Scrutiny Committee,
Bhandara and Anr.

AND

WRIT PETITION NO. 726/2021

Ku. Sarojini d/o. Shankarrao Shinde Vs. The District Caste Scrutiny Committee,
Bhandara and Ors.

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

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Mr. S. P Bhandarkar, Advocate for Petitioner.
Mr. S. N. Bhattad, Advocate for Respondent No.2 in W.P No.663/2021.
Mr. V. D. Raut, Advocate for Respondent Nos.2 and 3 in W.P No.726/2021.

CORAM : A.S.CHANDURKAR AND MRS.VRUSHALI V. JOSHI,JJ..
DATED : 13.09.2023

- . **Rule.** Rule made returnable early.
2. The respective Counsel waive service of notice for respondents.
3. The petitioner in Writ Petition No.663/2021 claims that he was appointed on the post of Medical Officer with the Health Department of the Nagpur Municipal Corporation pursuant to the order dated 07.02.1990. The said appointment was on an unreserved post. Our attention is invited to the order passed by the Scrutiny Committee wherein the Committee has recorded that after perusing the roster point and relevant documents that were produced before it, the appointment of the petitioner appeared to have been made in the Open Category. It is submitted that the petitioner has not been paid pensionary benefits in view of the order of invalidation.

4. The petitioner has retired from service on 31.05.2018. The order of invalidation has been passed subsequently on 25.02.2020. It would therefore be necessary for the Municipal Corporation to indicate the basis for withholding the petitioner's pensionary benefits. Since the learned Counsel for the Municipal Corporation is not available today, stand over to 25.09.2023 to consider the prayer for interim relief.

(MRS.VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)

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