

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

WRIT PETITION NO. 1089 OF 2015

NILUBAI BHAGWAT BAKALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Jadhavar Pratap V.

AGP for Respondents: Mr.K.G.Patil.

Advocate for Respondent No.2 : Mr. Patil Pravin S.

...

CORAM : **S. V. GANGAPURWALA and
N. W. SAMBRE, JJ.**

DATE : 29th January, 2015.

P.C.:

. Mr.Jadhavar, learned counsel submits that the salary of the Petitioner is stopped on the ground that the validation proceedings are pending. The learned counsel submits that to get the validity certificate within the stipulated time, it is not in the hands of the Petitioner.

2 Mr.Patil, learned counsel for the Committee submits that because of huge pendency of the matters, it would take some time to decide the said proceedings. The learned counsel submits that if the said proceeding are pending, it would be decided within one year.

3 We have heard the learned AGP also.

4 To get the proceedings decided within a particular time, is not in the hands of the litigant. It is submitted that because of large pendency of the matters, the proceedings are not yet decided.

5 Relying on the statement made by the learned counsel for the Petitioner that proposal for validation is pending with the Committee, we

pass the following order:

- I. The Committee shall decide the validation proceedings in respect of the tribe claim of the Petitioner, expeditiously, preferably within one year.
- II. The Petitioner shall co-operate in expeditious disposal of the said proceedings.
- III. The impugned order (Exhibit – 'C'), is set aside.
- IV. The salary of the Petitioner shall not be stopped only on the ground that validation proceedings are pending.
- V. Accordingly, the writ petition is disposed of. No costs.

[N. W. SAMBRE, J.]

[S. V. GANGAPURWALA, J.]

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