

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1166 OF 2015

Rajkumar S/o Rohidas Raddewad,
Age : 31 Years, Occu. : Service,
R/o Parchanda, Tq. Ahmedpur,
Dist. Latur. .. Petitioner

Versus

1. The State of Maharashtra,
Through Secretary to Tribal Development
Department, Mantralaya,
Mumbai.
2. The Superintendent of Post Offices,
Office of Superintendent of Post Offices,
Parbhani Division, Parbhani,
Dist. Parbhani.
3. The Schedule Tribe Certificate
Verification Committee, Aurangabad,
through it's Deputy Director (R),
Aurangabad. .. Respondents

Shri Sunil M. Vibhute, Advocate for the Petitioner.
Shri P. N. Mule, A.G.P. for the Respondent No. 1.
Shri S. B. Deshpande, Assistant Solicitor General for the
Respondent No. 2.
Shri K. D. Bade Patil, Advocate for the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
V. L ACHLIYA, JJ.**

DATE : 30TH JANUARY, 2015.

ORAL JUDGMENT (*PER S. V. GANGAPURWALA, J.*) :-

. Rule. Rule made returnable forthwith. With the consent of parties taken up for final hearing.

2. Mr. Vibhute, the learned counsel submits that, the tribe claim of the petitioner is pending with the respondent No. 3/Committee, however, the respondent No. 2/employer has issued a notice stating that, if the validity certificate is not produced within a week, the services of the petitioner would be terminated straight way without any notice. According to the learned counsel the validation proceedings are pending since 09th July, 2014.

3. Mr. Bade Patil, the learned counsel for the respondent No. 3/Committee submits that, it would take some time to decide validation proceedings, because of huge pendency of matters before the Committee.

4. We have heard Mr. Deshpande, the learned Assistant Solicitor General for the respondent No. 2 and the learned Assistant Government Pleader for the respondent No. 1.

5. To get the validation proceedings decided within a stipulated time is not in the hands of a litigant. Considering the above we pass the following order.

6. The impugned notice dated 20.01.2015 is quashed and set aside. The respondent No. 3/Committee shall decide the validation proceedings in respect of tribe claim of the petitioner expeditiously and preferably within a period of one year from today. The petitioner shall co-operate in expeditious disposal of the said proceedings. The respondent No. 2/Employer shall not take any adverse action against the petitioner only on the ground that validation proceedings are pending.

Rule accordingly is made absolute in above terms. No costs.

Sd/-

[V. L ACHLIYA, J.]

Sd/-

[S. V. GANGAPURWALA, J.]

bsb/Jan. 15