

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO. 1959 OF 2015

KIRAN DINKAR SARVADE

VERSUS

STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Yeramwar Sushant C.

AGP for Respondents: Mr. Y. M. Kshirsagar

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**CORAM : S. V. GANGAPURWALA &
V.K. JADHAV, JJ.****DATE : 20th February, 2015****PER COURT :**

1. Heard. Rule, returnable forthwith. Learned AGPs waive notice of rule for all the respondents.

2. Caste claim of the petitioner is pending with the Respondent No.2 committee. Even vigilance is conducted. However, the respondent No. 3 College has threatened the petitioner to take adverse action against the petitioner on the ground that validation certificate is not yet submitted.

Learned AGP submits that the petitioner is bound to submit validity certificate within stipulated time. To get the validation proceedings decided within a particular time is not in the hands of litigant.

3. In the light of above, we pass the following order:

- i. The respondent No.2 Committee shall decide the validation proceedings in respect of caste claim of the petitioner, expeditiously and preferably within six months.

- ii. The petitioner shall appear before the respondent No.2 Committee on 9th March, 2015.
 - iii. Till the validation proceeding is decided, the respondent No.3- shall not take any adverse action against the petitioner only on the ground that validation proceeding is pending. Of course, the respondent No.3 can proceed to take further action in accordance and in tune with decision of the Committee in the validation proceeding.
4. Rule is accordingly made absolute. Writ petition is accordingly disposed of. No costs.

(V.K. JADHAV, J.)

(S. V. GANGAPURWALA, J.)

JPC