IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2870 OF 2015

SHANKAR ERAWANTA CHITALE
VERSUS
STATE OF MAHARASHTRA AND OTHERS
...
Advocate for Petitioner : Vibhute Sunil M.
AGP for Respondents: Mr.G.K.Thiga.e
Mr.A.B.Tele,Adv. For R.5
...

CORAM : S. V. GANGAPURWALA &
V. L.ACHLIYA, JJ.
DATED : 12th MARCH, 2015

P.C.

Mr.Vibhute, learned counsel for petitioner submits that no prayer is made as against respondent nos.3 and 4. Learned counsel submits that the validation proceeding in respect of tribe claim of the petitioner is pending with respondent no.5 committee. Mr.Tele, learned counsel accepts that the proposal seeking validation in respect of tribe claim is pending. According to the learned counsel for petitioner, respondent institution has forwarded the proposal to the respondent no.2 seeking approval to the appointment of the petitioner. However, the same is not decided only on the ground that validity certificate is not yet issued.

2] The learned AGP states that there is nothing on record to suggest that approval is not decided on the said

ground.

3] In case the proposal (Exh.E) forwarded by the institution is pending with respondent no.2, respondent no.2 may decide the same on its own merits and if respondent no.2 finds the petitioner eligible for grant of approval then the said approval shall not be withheld on the ground that validation proceedings are pending. The same can thereafter be granted provisionally subject to the decision of the committee in the validation proceeding. The said proposal be decided expeditiously preferably within four months.

4] Writ Petition is accordingly disposed of. No costs.

V.L.ACHLIYA, J. **S. V. GANGAPURWALA, J.**

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