

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO. 4980 OF 2015

SHREYASH RAJESH KOLHE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Vibhute Sunil M.

AGP for Respondents State: Mr. S. G. Sangle

Advocate for Respondent No.4 : Mr. A. B. Tele

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**CORAM : S. V. GANGAPURWALA &
V. K. JADHAV, JJ.****DATE : 24th July, 2015****PER COURT :**

1. Though respondent No.3 is served, none appears for respondent No.3. Learned counsel for the petitioner submits that proceeding in respect of tribe claim of the petitioner is pending. However, the respondent authority is insisting for validity certificate, else coercive action is being taken.

2. Mr. Tele, the learned counsel for the respondent committee states that it would take some time to decide the validation proceedings. We have heard learned AGP also.

3. As the validation proceedings are yet to be decided, it would not be appropriate for the respondents to cancel the admission of the petitioner.

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

- i. The respondent No.4 Committee shall decide the validation proceedings in respect of the petitioners' tribe claim, expeditiously and preferably within nine

months. The petitioners shall cooperate in expeditious disposal of the proceedings.

- ii. Till the validation proceedings are decided, the respondents shall not take any adverse action against the petitioners only on the ground that validation proceedings are pending. Of course, the authority can take further course of action in tune with judgment of the Committee in the validation proceedings.

- 5. Writ petition is accordingly disposed of. No costs.

(V. K. JADHAV, J.)

(S. V. GANGAPURWALA, J.)

JPC