

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7108 OF 2015

NAMDEO BAPU THAKUR
 VERSUS
 THE STATE OF MAHARASHTRA AND OTHERS

...
 Advocate for Petitioner : Mr. S. P. Telgote h/for Mr. Tawshikar Swapnil D.

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

Advocate for Respondent No.4 : Mr. K. D. Badepatil

...
CORAM : S. V. GANGAPURWALA &
V. K. JADHAV, JJ.

DATE : 31st July, 2015

PER COURT :

1. Leave to add party. Mr. Bade Patil, learned counsel accepts notice for added party.

2. Learned counsel for the petitioner states that validation proceedings in respect of tribe claim of the petitioner as belonging to Thakur Koli Scheduled Tribe is pending consideration with the Scrutiny Committee. Even on 5th March, 2015, the committee has given letter stating that the said proposal is pending. Learned counsel submits that the respondents 2 and 3 are taking adverse actions against the petitioner on the ground that validity is not yet submitted. The petitioner was directed to present the validity certificate within six months as per appointment order dated 04.02.2015.

3. Mr. Bade Patil, learned counsel for the Committee accepts that the validation proceedings are pending. Though served, none appears for respondents 2 and 3.

4. To get the validation proceedings decided within a particular time is not in the hands of litigant. Learned counsel for the committee states that it would take some time to decide the said validation proceedings.

5. 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 petitioner's tribe claim, expeditiously and preferably within one year. The petitioners shall cooperate in expeditious disposal of the proceedings.
 - ii. Till the validation proceedings are decided, the respondent Nos. 2 and 3 shall not take any adverse action against the petitioner only on the ground that validation proceedings are pending. Of course the respondents can take further course of action in tune with the judgment of the Committee in the validation proceedings.
2. Writ petition is accordingly disposed of. No costs.

(V. K. JADHAV, J.)

(S. V. GANGAPURWALA, J.)

JPC