

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.6970 OF 2013

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.M.S.Deshmukh, advocate for the petitioner.
Mr.K.G.Patil, Addl. Govt. Pleader for the State.
Mr.A.B.Tele, advocate for Respondent No.3.

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

Date : 27.01.2015.

PER COURT :

1. Heard.

2. It is not disputed that the proposal seeking validation in respect of the tribe claim of the petitioner is pending consideration with the Respondent-Committee.

3. In light of that, we are not entering into merits of the matter and the submissions canvassed by the learned counsel for the petitioner, more particularly, that the petitioner is appointed from the open category.

4. As the proposal is pending consideration with the Committee, we pass the following order :

a) The Committee shall decide the said proposal pending with

it seeking validation in respect of the tribe certificate of the petitioner expeditiously on its own merits. Till the said proceedings are decided, the Respondent-institution shall not take any adverse action against the petitioner only on the ground that the validation proceedings are pending. In case the validation proceedings are decided against the petitioner, it will be open for the petitioner to assail the said judgment and raise all other contentions including the appointment of the petitioner in open/reserved post, as the case may be.

b) The Writ Petition is accordingly disposed of with aforesaid observations. No costs.

(V . L . ACHLIYA, J .)

(S . V . GANGAPURWALA, J .)

Dt..27.01.2015.
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