

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 11437 OF 2014

Rajendra S/o Govindlal Dhakare,
Age : 41 Years, Occu. : Service,
R/o Warud (Bk), Tq. Bhokardan,
Dist. Jalna.

.. Petitioner

Versus

1. The State of Maharashtra,
Through Secretary to Social Welfare
Department, Mantralaya, Mumbai.
 2. The Scheduled Caste, Other Backward
Classes, Special Backward Category,
Denitrified Tribes and Nomadic Tribe,
Divisional Caste Certificate Verification
Committee, Dhule, through its
Member Secretary,
Dhule, Dist. Dhule.
 3. The Secretary,
Shri Ganesh Shikshan Prasarak
Mandal, Warud (Bk),
Tq. Bhokardan, Dist. Jalna.
 4. The Head Master,
Sharada Madhyamik Va Uchha
Madhyamik Vidhyalaya,
Warud (Bk), Tq. Bhokardan,
Dist. Jalna.
- .. Respondents

Shri Sunil M. Vibhute, Advocate for the Petitioner.
Shri G. K. Thigle, Addl.G.P. for Respondent Nos. 1 and 2.
Shri D. J. Choudhari, Advocate for Respondent Nos. 3 and 4.

**CORAM : S. V. GANGAPURWALA AND
V. K. JADHAV, JJ.
DATE : 19TH JUNE, 2015.**

ORAL JUDGMENT (Per S. V. Gangapurwala, J.) :-

. Rule. Rule made returnable forthwith. With the consent of parties taken up for final hearing.

2. Mr. Vibhute, the learned counsel submits that, the validation proceedings in respect of caste claim of the petitioner is pending with the respondent No. 2/Committee. The respondent Nos. 3 and 4/employer have issued notice directing the petitioner to produce validity certificate within seven days else services of the petitioner would be terminated.

3. Mr. Choudhari, the learned counsel for respondent Nos. 3 and 4/employer submits that, the petitioner is appointed from reserved category, as such is required to submit validity certificate.

4. To get the validation proceedings decided within a stipulated period is not in the hands of a litigant.

5. In the light of the above, we pass the following order.

6. The impugned show cause notice is quashed and set aside. The Committee shall decide the validation proceedings in respect

of caste claim of the petitioner expeditiously and preferably within a period of nine (9) months from today. The petitioner shall co-operate in expeditious disposal of the said proceedings.

7. Till the validation proceedings are decided by the respondent No. 2/Committee, the employer i. e. respondent Nos. 3 and 4 shall not take any adverse action against the petitioner only on the ground that validity certificate is not submitted. Of course, the employer can resort to further course of action in tune with the judgment of the Committee in validation proceedings.

Rule accordingly is made absolute in above terms. No costs.

Sd/-

[V. K. JADHAV, J.]

Sd/-

[S. V. GANGAPURWALA, J.]

bsb/June 15