

THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

WRIT PETITION NO. 12008 OF 2014

Dnyandeo s/o Daga Chavan,
Age: 47 Years, Occu.: Service,
R/o: Dahiwadi, Taluka. Man,
District- Satara.

... **PETITIONER**

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Deptt.,
Mantralaya, Mumbai - 32.
2. The Scheduled Tribe Certificate
Scrutiny Committee, Nandurbar
Division, Nandurbar.
3. The Divisional Controller,
Maharashtra State Road Transport
Corporation Limited, Satara.

... **RESPONDENTS**

Mr. Kalyan Patil, Advocate i/b Mr. S.R.Barlinge.
Mr.D.B.Bhange, AGP for Respondent No.1.
Mr. P.S.Patil, Advocate for Respondent No.2.
Mr. D.S.Bagul, Advocate for Respondent No.3.

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

DATE : 09th March, 2015.

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

the learned counsel appearing for the parties, the petition is taken up for final hearing.

2 The learned counsel for the Petitioner states that the validation proceedings in respect of the tribe claim of the Petitioner is pending. However, the Respondent – employer has issued notice dated 2nd December, 2014, directing the Petitioner to submit validity certificate on or before 31st December, 2014, failing which the Petitioner would stand terminated.

3 Mr.Patil, learned counsel for the Committee states that it would take some time to decide the validation proceedings. The same would be decided within six months.

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

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

- I. The Respondent – Committee shall decide the validation proceedings in respect of the tribe claim of the Petitioner, expeditiously, preferably within six months.
- II. The Petitioner shall cooperate in expeditious disposal of the said proceedings.
- III. The Respondent – Employer shall not take any

adverse action against the Petitioner only on the ground that the validation proceedings are pending.

- IV. The impugned show cause notice stands quashed and set aside.
- V. The Respondent – Employer can take further steps in tune with the judgment of the Committee in validation proceedings. Of course, in case some adverse orders are passed by the Committee, the Petitioner has a remedy open.
- VI. Accordingly, Rule is made absolute in above terms.
No costs.

ndm

[V. L. ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]