

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

WP NO.905/2017

979 WRIT PETITION NO. 905 OF 2017

FEROZ KHAN AKBAR KHAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr.Sugdare A.D.
AGP for Respondent State:Mrs. V.H.Patil
Mr. Sonawane, Adv., for respondent nos.2 and 3.

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CORAM : S V GANGAPURWALA & K.L. WADANE, JJ.
Dated: March 10, 2017

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PER COURT :-

1. Mr. Sugdare, learned Counsel appearing for the petitioner, submits that validation proceedings in respect of the caste claim of the petitioner is pending with the Committee since the year 2012. Petitioner was given benefit of time bound promotional pay scale, however, on the ground that the validity certificate is not submitted, the said benefit is sought to be recovered.
2. Mr. Sonawane, learned Counsel for respondent nos. 2 and 3, submits that as the petitioner is given benefit of reservation and, because of the benefit of reservation the petitioner was granted time bound promotional pay scale, and since the validity is not being submitted, the respondents are entitled to withdraw the said benefits.
3. We have also heard learned A.G.P.

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(2)

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4. Considering the fact that the validation proceedings are pending, we pass the following order.

ORDER

1. The respondent Committee shall decide validity proceedings in respect of the tribe claim of the petitioner expeditiously, preferably within four months.
2. The petitioner shall appear before the Committee on 3rd of April, 2017.
3. Respondent nos. 2 and 3 shall not take any adverse action against the petitioner only on the ground that the validation proceedings are pending.
3. Respondent nos. 2 and 3 can take further course of action depending on the judgment that may be delivered by the Committee in the validation proceedings.

Writ Petition stands disposed of accordingly. No costs.

(K.L. WADANE, J.)

(S V GANGAPURWALA, J.)

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agp/-