

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 886 OF 2017

Smt.Vaishali d/o Gokul Chavan

Petitioner

V E R S U S

The State of Maharashtra,
Department of Tribal Development,
Mantralaya, Mumbai & three others

Respondents

Mr. S.C. Yeramwar, Advocate for the petitioner
Mrs. M.A. Deshpande, A.G.P. for the respondent Nos.1 & 2 / State
Mr. U.B. Bondar, Advocate for respondent Nos.3 & 4

**CORAM : S.V.GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.**

DATE : 24th MARCH, 2017

PER COURT :

1. Mr. Yeramwar, learned counsel for the petitioner states that though the validation proceeding in respect of the tribe claim of the petitioner is pending since the year 2012, yet the vigilance is not conducted. The respondents had issued show-cause-notice to the petitioner to submit

the validity certificate else adverse action would be taken.

2. Mr. Bondar, learned counsel for respondent Nos.3 and 4 submits that the petitioner has been appointed from the reserved category, as such he is duty bound to submit the validity certificate.

3. Heard the learned A.G.P.

4. The respondent No.2-Committee shall decide the validation proceeding in respect of the tribe claim of the petitioner expeditiously and preferably within six months from today. The petitioner shall appear before the Committee on 12th April, 2017. The impugned show-cause-notice issued to the petitioner is quashed and set aside. The respondent Nos.3 and 4 shall not take adverse action against the petitioner only on the ground that his validation proceeding is pending. The respondent Nos.3 and 4 may take further course of action depending upon the Judgment which may be delivered by the Committee.

5. In view of above, Writ Petition is allowed.

No costs.

(SANGITRAO S. PATIL, J.)

(S.V. GANGAPURWALA, J.)

SRM/24/3/17