

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

WRIT PETITION NO. 1853 OF 2017

Durgeshkumar Jayram Gungewad .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri E. S. Murge, Advocate for the Petitioner.

Ms. Vaishali N. Patil, A.G.P. for Respondent Nos. 1 and 2.

Shri A. S. Bayas, Advocate for the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
K. L. WADANE, JJ.**

DATE : 09TH FEBRUARY, 2017.

PER COURT :

. Issue notice to respondents. The learned A. G. P. waives notice for respondent Nos. 1 and 2. Mr. Bayas, the learned counsel waives notice for the respondent No. 3.

2. The learned counsel for the petitioner states that, the validation proceedings in respect of tribe claim of the petitioner as belonging to Koli Mahadev (Scheduled Tribe) is pending with the respondent No. 2/Committee since 2015. No steps are taken to decide the same as yet. However, the respondent Nos. 3 and 4 are asking the petitioner to produce the validity certificate or else further action would be taken.

3. We have heard the learned Assistant Government Pleader for respondent Nos. 1 and 2 and Mr. Bayas, the learned counsel for the respondent No. 3.

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

5. Considering the above, we pass following order.

6. The respondent No. 2/Committee shall decide validation proceedings in respect of tribe claim of the petitioner expeditiously and preferably within a period of nine (09) months from today. The petitioner shall co-operate in expeditious disposal of the said proceedings.

7. The respondent Nos. 3 and 4 shall not refrain the petitioner from prosecuting further studies only on the ground that validation proceedings are pending. The respondent Nos. 3 and 4 can take further course of action depending upon the judgment delivered by the respondent No. 2/Committee in the validation proceedings. The writ petition is disposed of. No costs.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/Feb. 17