

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

WRIT PETITION NO. 2901 OF 2017

**SAINATH VITTHAL PAWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Mr.Murge Estling S
AGP for Respondents : Mr. Y.G.Gujarathi

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CORAM : S.V.GANGAPURWALA & K.L.WADANE, JJ.

DATED : 6th MARCH, 2017

O R D E R :

Mr. Murge, learned counsel for the petitioner submits that the validation proceedings in respect of tribe claim of the petitioner is pending with the Committee since June, 2016. The same is not yet decided. However, respondent nos. 3 and 4 are resorting to adverse action if validity is not submitted.

2. Learned counsel for respondent no.3 submits that the petitioner has been admitted from reserved category. As such, for claiming benefit of reservation the petitioner is required to submit validity certificate.

3. We have heard learned A.G.P. for the respondents/State

4. To get the validation proceedings decided is not in the hands of litigant.

5. Considering the above, we pass following order.

i) Respondent/Committee shall decide the validation proceedings in respect of tribe claim of the petitioner, expeditiously, preferably within nine months from today.

ii) The petitioner shall appear before the Committee on 23.3.2017.

iii) The petitioner shall cooperate in expeditious disposal of the said proceedings.

iv) Respondent nos.3 and 4 shall not take adverse action against the petitioner nor shall refrain the petitioner from prosecuting further studies only on the ground that validation proceedings are pending.

v) Of course, the respondent nos. 3 and 4 can take further course of action depending upon the judgment that

may be delivered by the Committee in
the validation proceedings.

6. Writ Petition disposed of. No costs.

(K.L.WADANE, J.) (S.V.GANGAPURWALA, J.)

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