

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

39 WRIT PETITION NO. 2966 OF 2017

VARSHA MOHAN BOYANE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner: Mr. Murge Estling S.

AGP for Respondents State: Mr. P. S. Patil.

Advocate for Respondent No. 3: Mr. K. M. Suryawanshi.

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

DATE : 7th March, 2017

ORDER:

1. Mr. Murge, the learned counsel for the petitioner submits that the validation proceedings in respect of the tribe claim of the petitioner is pending with the respondent no. 2. However, respondent no. 3 and 4 are insisting for production of the validity certificate, else adverse action would be taken.

2. We have heard the learned AGP for respondent nos. 1 and 2 and Mr. Suryawanshi, the learned counsel for respondent no. 3.

3. To get the validation proceeding decided within stipulated period is not in the hands of the litigant. Validation proceeding is pending since February-2015. Considering above, we pass the following order:

O R D E R

- i. The respondent committee shall decide the validation proceeding in respect of the tribe claim of the petitioner, expeditiously, preferably within nine months.
 - ii. The petitioner shall co-operate in expeditious disposal of the said proceedings. The petitioner shall appear before the committee on 29/03/2017.
 - iii. Till the validation proceedings are decided, the respondent Nos.3 & 4 shall not take any adverse action against the petitioner nor shall refrain the petitioner from prosecuting further studies only on the ground that the validation proceedings are pending. Of course, 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.
4. Writ petition is accordingly disposed of. No costs.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)

JPC