

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3392 OF 2017

Dhondiba S/o Manikrao Ghorpade

Petitioner

V E R S U S

The State of Maharashtra, through
Secretary to Home Department,
Mantralaya, Mumbai & four others

Respondents

*Mr. Sunil M. Vibhute, Advocate for the petitioner
Mr. Amol A. Jagatkar, A.G.P. for the respondents/State*

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

DATE : 15th MARCH, 2017

PER COURT :

1. Mr.Vibhute, learned counsel for the petitioner submits that validation proceeding is pending before the Committee since 26th February, 2015, but the same is not yet decided. However, the employer is insisting the petitioner for production of Validity Certificate else adverse action would be taken.

2. Learned A.G.P. accepts notice for all respondents and submits that as the petitioner is appointed from the reserved category, he is required to submit Validity Certificate.

3. To get the validation proceeding decided within the stipulated period is not in the hands of the litigant.

4. Respondent No.5-Committee shall decide the validation proceeding in respect of tribe claim of the petitioner expeditiously and preferably within nine months from the date of appearance of the petitioner. The petitioner shall appear before the Committee on 4th April, 2017 and co-operate for expeditious disposal of the validation proceeding. The respondent-employer shall not take any adverse action against the petitioner only on the ground that the validation proceeding is pending. The respondents shall take further course of action depending upon the Judgment delivered by the Committee.

5. In view of above, Writ Petition is disposed of. No costs.

(SANGITRAO S. PATIL, J.)

(S.V. GANGAPURWALA, J.)

SRM/15/3/17