

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

WRIT PETITION NO. 11729 OF 2017

VITTHAL MANIK RANGWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Omgashad B. Boniwad, Advocate for the petitioner
Mr.S.W.Mundhe, AGP for the respondent/State

**CORAM : S.V. GANGAPURWALA &
S.M. GAVHANE, JJ.**

DATED : 11.10.2017

P.C. :-

. The office endorsement shows that respondent No. 2 is served. Learned counsel for the petitioner states that validation proceeding in respect of tribe claim of the petitioner is pending with respondent No.3 Committee since July-2013. The same is not yet decided. The respondent No.2 has issued notice to the petitioner to submit the validity certificate, else the appointment would be canceled.

2. We have heard learned AGP also.

3. It is submitted that the validation proceedings are pending since 17.07.2013. It is for the Committee to decide the said validation proceeding.

4. As the statement is made that validation proceeding is pending, we pass the following order.

ORDER

I. Respondent No.2 Committee shall decide the validation proceeding in respect of the tribe claim of the petitioner expeditiously, preferably within seven months.

II. The petitioner shall appear before the Committee on 07.11.2017.

III. Till the validation proceeding is decided respondent No.2 employer shall not take adverse action against the petitioner only on the ground that the validation proceeding is pending.

IV. The respondent No.2 can resort to further course of action depending upon the judgment that would be delivered by the Committee in the validation proceeding.

V. The impugned notice as such is quashed and set aside.

VI. The writ petition accordingly stands disposed of. No costs.

[S.M. GAVHANE, J.]

[S.V. GANGAPURWALA, J.]