

consent of parties, the petition is taken up for final disposal.

3. It is submitted that the petitioner was appointed as a Junior Clerk with respondent No.4 from the posts reserved for Scheduled Tribe category in August, 2015 and his tribe certificate has been referred to the Committee on 23.11.2015. According to the learned counsel, though the petitioner is officiating his duties, he is not being paid salary since August, 2016.

4. Learned AGP submits that in fact the petitioner was to submit his validity within a period of six months. The action is rightly taken.

5. To get the validity proceedings decided within a stipulated period is not in the hands of litigant. It is for the Committee to decide the validation proceedings. It is submitted that the validation proceedings are pending with the committee since August, 2015.

6. Considering the above, we pass following order:

O R D E R

(1) The Committee shall decide the validation

proceedings in respect of tribe claim of the petitioner, expeditiously, preferably within 9 months from today.

(2) Respondent No.4 employer shall not take any adverse action against the petitioner only on the ground that validation proceeding is pending nor shall withhold the salary of the petitioner.

(3) The respondent Nos.3 and 4 employer can take further course of action depending upon the judgment that may be delivered by the Committee.

7. Rule is made absolute accordingly. There shall be no order as to costs.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)

JPC