

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

WRIT PETITION NO. 10647 OF 2016

Parmeshwar S/o Maroti Pitlewad,
Age : 34 Years, Occu. : Service,
R/o Near Bus Stand, Bhokar,
Tq. Bhokar, District- Nanded. .. Petitioner

Versus

1. The State of Maharashtra,
Through its Secretary,
Energy Department,
Mantralaya, Mumbai.
2. The Superintendent Engineer,
Maharashtra State Electricity Distribution
Company Limited, [MSEDCL],
O & M Circle, Vidyut Bhavan,
Tarabai Park, Kolhapur,
Dist. Kolhapur.
3. The Executive Engineer,
Maharashtra State Electricity Distribution
Company Limited, [MSEDCL],
Gramin Vibhag No. 1, Ganraj Bangla,
Tarabai Park, Kolhapur, Dist. Kolhapur.
4. The Deputy Executive Engineer,
Maharashtra State Electricity Distribution
Company Limited, [MSEDCL],
Shahuwadi Sub Division, Shahuwadi,
Dist. Kolhapur.

5. The Scheduled Tribe Caste Certificate
Verification Committee, Aurangabad,
Through its Dy. Director (R),
Aurangabad. .. Respondents

Shri Sunil M. Vibhute, Advocate for the Petitioner.

Shri P. S. Patil, Addl.G.P. for Respondent Nos.1 and 5.

Shri A. R. Salve, Advocate for Respondent Nos. 2 to 4.

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

DATE : 19TH JANUARY, 2017.

ORAL JUDGMENT (Per S. V. Gangapurwala, J.) :-

. Rule. Rule made returnable forthwith. With the consent of parties, taken up for final hearing.

2. Mr. Vibhute, the learned counsel for the petitioner submits that, the validation proceedings in respect of tribe claim of the petitioner is pending since 10th December, 2013, however the respondent/employer has issued notice to the petitioner to submit validity certificate, else the petitioner's services would be terminated.

3. Mr. Salve, the learned counsel for respondent Nos. 2 to 4 submits that, the petitioner was appointed from the reserved category. He is required to submit his validity within a period of six months from the date of appointment. As the petitioner has not submitted the validity, the notice is rightly issued.

4. The learned Additional Government Pleader for respondent Nos. 1 and 5 states that, the validation proceedings would be decided expeditiously.

5. Considering the above, we pass following order.

6. The respondent No. 5/Committee shall decide the validation proceedings in respect of the tribe claim of the petitioner expeditiously and preferably within a period of six (06) months from today. The petitioner shall cooperate in expeditious disposal of the said proceedings. The petitioner shall appear before the Committee on 07th February, 2017.

7. Till the validation proceedings are pending, the respondent Nos. 2 to 4 shall not take any adverse action against the petitioner only on the ground that the validation proceedings are pending. Of course, the respondent Nos. 2 to 4 can take further course of action depending upon the judgment delivered by the Committee in validation proceedings.

Rule accordingly is made absolute in above terms. No costs.

Sd/-

[K. L. WADANE, J.]

Sd/-

[S. V. GANGAPURWALA, J.]