

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

WRIT PETITION NO. 12427 OF 2017

DATTA SAHEBRAO INGLE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

Mr.Pratap V. Jadhavar, Advocate for the petitioner  
Mr.K.D.Mundhe, AGP for the respondent/State

**CORAM : S.V. GANGAPURWALA &  
S.M. GAVHANE, JJ.  
DATED : 11.10.2017**

**P.C. :-**

- . Issue notice to the respondents.
2. Learned AGP waives service of notice for all the respondents/State.
3. Mr. Jadhavar, learned counsel for the petitioner submits that the validation proceeding in respect of the tribe claim of the petitioner is pending since April-2015. The same is yet not decided by the Committee. However, the employer has issued a notice to the petitioner directing petitioner to submit the validity certificate immediately or else the services of the petitioner would be terminated.

4. We have heard learned AGP also.

5. To get the proceedings decided within a stipulated period is not in the hands of the litigant.

6. Considering the above, we pass the following order.

#### **ORDER**

i. The respondent No.2-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 proceeding.

iii. Till the proceeding is decided by the Committee, the respondent-employer shall not take any adverse action against the petitioner only on the ground that the validation proceeding is pending.

iv. The respondent-employer can take resort to further course of action against the petitioner depending upon the judgment that would be delivered by the

Committee in the validation proceedings.

v.           The impugned notice is quashed and set aside.

vi.           The writ petition accordingly allowed.

**[S.M. GAVHANE, J.]**

**[S.V. GANGAPURWALA, J.]**