

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

WRIT PETITION NO. 1210 OF 2017

Eknath Dula Tayade

...Petitioner

VERSUS

The State of Maharashtra
and others

...Respondents

.....

Shri Anandsingh Bayas, advocate for the petitioner
Shri P.S.Patil, A.G.P. for respondent

.....

CORAM : S.V.GANGAPURWALA & K.L.WADANE, JJ.

DATED : 25th JANUARY, 2017

O R D E R :

Mr. Bayas, learned counsel submits that the claim of the petitioner as belonging to Tokre Koli Scheduled Tribe was invalidated. Against the said judgment, the petitioner had filed Writ Petition before this Court. The judgment of the Scrutiny Committee was set aside and the matter was remitted back to the Committee for inquiry in the year 2004, however, as yet the said proceedings are not decided. Learned counsel

submits that the petitioner is ready to give up his claim and he may be reinstated. He was appointed in the year 1997 and upon invalidation of his tribe claim was terminated from service in the year 2002.

2. We have heard Mr. Patil, learned A.G.P. for the respondent/State.

3. The validation proceedings, even according to the petitioner, is still pending consideration. The prayer of the petitioner of reinstatement, at present, cannot be considered, as the validation proceedings are not yet decided. The same would be required to be decided as per the judgment of the Full Bench of this Court in the case of **Arun Sonwane vs State**, reported in **2015 (1) Mh.L.J.457**. After the decision of the validation proceedings the petitioner may renew his prayer if the same is permissible in law. In case the validation proceedings are pending the Committee shall decide the same expeditiously, preferably within four

months.

4. Writ Petition accordingly disposed of.

No costs.

(K.L.WADANE, J.)

(S.V.GANGAPURWALA, J.)

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