

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

BENCH AT AURANGABAD.

WRIT PETITION NO.13011 OF 2017

Atmaram S/o Pandurang Totewad ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...
Mr.S.M.Vibhute, advocate for the petitioner.
Ms.R.P.Gour, A.G.P.for the State.
...

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

Date : 08.11.2017.

PER COURT :

1. Mr.Vibhute, learned counsel submits that the validation proceedings in respect of the tribe claim of the petitioner is pending from 1.7.2014. The petitioner is in service. The Respondent employer has issued notice to submit the validity within seven (7) days or else further action would be taken.

2. We have heard learned A.G.P. for the Respondents.

3. Considering the fact that the validation proceeding is pending, it would be inappropriate on the part of the Respondents to take any adverse action against the petitioner on the said ground.

4. In light of that we pass the following order :

a) The Respondent No.2 Committee shall decide the validation proceedings in respect of the tribe claim of the petitioner expeditiously, preferably within eight (8) months. The petitioner shall cooperate in expeditious disposal of the said proceedings. The petitioner shall appear before the Committee on 27.11.2017.

b) The impugned notice is quashed and set aside. The Respondent employer shall not take adverse action against the petitioner only on the ground that validation proceedings are pending.

The Respondent employer can take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceedings.

c) The Writ Petition is disposed of. No costs.

d) Authenticated copy be given.

(S.M.GAVHANE, J.)

(S.V.GANGAPURWALA, J.)

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