

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

WRIT PETITION NO. 12367 OF 2016

Omkar Vishambhar Mane .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Pratap V. Jadhavar, Advocate for the Petitioner.

Ms. Vaishali N. Patil, A.G.P. for Respondent Nos. 1 and 2.

The Respondent No. 3 is served.

Shri M. N. Navandar, Advocate for the Respondent No. 4.

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

DATE : 03RD MARCH, 2017.

PER COURT :

. Mr. Jadhavar, the learned counsel for the petitioner submits that, validation proceedings in respect of tribe claim of the petitioner is pending with the respondent No. 2/Committee since September 2016. The same is not yet decided. The respondent No. 3 has issued a notice directing to submit validity certificate, else the petitioner would not be eligible to appear for the exam and continue the studies.

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

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

4. The respondent No. 2/Committee shall decide the validation proceedings in respect of tribe claim of the petitioner expeditiously and preferably within a period of nine (09) months from today. The petitioner shall co-operate in expeditious disposal of the validation proceedings. The petitioner shall appear before the Committee on 21.03.2017. The impugned notice (Exhibit – C) is quashed and set aside. The respondent Nos. 3 and 4 shall not take any adverse action against the petitioner and shall not refrain the petitioner from prosecuting further studies only on the ground that validation proceeding is pending. Of course, the respondent Nos. 3 and 4 can take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceeding. The writ petition is disposed of. No costs.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]