

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

WRIT PETITION NO. 367 OF 2018

Suresh s/o Vitthal Suryawanshi,
Age : 57 Years, Occu. : Service,
R/o Bhusawal, Tq. Bhusawal,
Dist. Jalgaon,
Presently R/o Amalner,
Tq. Amalner, Dist. Jalgaon. .. Petitioner

Versus

1. State of Maharashtra
through Principal Secretary
Home Department,
Mantralaya, Mumbai - 32.
2. Superintendent of Police,
Jalgaon, Dist. Jalgaon.
3. Scheduled Tribe Certificate
Scrutiny Committee, Nandurbar,
through its Member Secretary. .. Respondents

Shri Digambar B. Shinde, Advocate h/f Shri M. S. Deshmukh,
Advocate for the Petitioner.
Shri R. V. Dasalkar, A.G.P. for Respondent Nos. 1 to 3.

**CORAM : S. V. GANGAPURWALA AND
ARUN M. DHAVALA, JJ.
DATE : 10TH JANUARY, 2018.**

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

. Rule. Rule made returnable forthwith. The learned

Assistant Government Pleader accepts notice of rule for all respondents. Taken up for final hearing with the consent of parties.

2. The Tribe claim of the petitioner is pending with the Committee for validation since 2013. It is stated by the learned counsel for the petitioner that, even vigilance is conducted.

3. Considering the aforesaid conspectus of the matter, we pass following order.

O R D E R

A. The respondent No. 3/Committee shall decide the validation proceeding in respect of tribe claim of the petitioner expeditiously and preferably within a period of nine (09) months from the date of appearance of the petitioner.

B. The petitioner shall co-operate in expeditious disposal of said proceeding. The petitioner shall appear before the Committee on 29.01.2018.

C. The impugned notice issued by the employer is quashed and set aside.

D. The respondent No. 2/employer shall not take any adverse action against the petitioner only on the ground that validation

proceeding is pending.

E. Of course, the respondent No. 2/employer is entitled to take further course of action depending upon the judgment that would be delivered by the Committee in validation proceeding.

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

Sd/-

[ARUN M. DHAVAL, J.]

Sd/-

[S. V. GANGAPURWALA, J.]

bsb/Jan. 17