

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

WRIT PETITION NO. 1515 OF 2018

Narendra Rajaram Thakur .. Petitioner

Versus

Scheduled Tribe Certificate Scrutiny
Committee nandurbar through its
Member Secretary and another .. Respondents

Shri Sagar S. Phatale, Advocate for the Petitioner.
Mrs. Vaishali N. Patil-Jadhav, A.G.P. for the Respondent No. 1.
Shri D. G. Nagode, Advocate for the Respondent No. 2.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 07TH FEBRUARY, 2018.

FINAL ORDER :

. Issue notice of respondents. The learned A. G. P. waives notice for the respondent No. 1. Mr. Nagode, the learned counsel waives notice for the respondent No. 2.

2. The validation proceeding in respect of tribe claim of the petitioner is still pending and the employer has initiated the departmental enquiry against the petitioner. The petitioner earlier had filed Writ Petition No. 4724 of 2017. Said writ petition is disposed of under order dated 07th April, 2017. This

Court under the said order had directed the Committee to decide the validation proceeding within a period of three months and the respondent No. 2 was directed not to proceed with the Departmental Enquiry.

3. Even after lapse of three months, the Committee has not decided the validation proceedings and the respondent No. 2 has again initiated departmental enquiry on the ground that three months have lapsed.

4. It is for the Committee to decide the validation proceeding. It is not in the lands of a litigant to get decided the said proceeding within stipulated time.

5. Considering the above, we pass following order.

6. The impugned notice is quashed and set aside. The respondent No. 1/Committee shall decide the validation proceeding of the petitioner expeditiously and preferably within a period of three (03) months from the date of appearance of the petitioner. No further time would be granted. If the proceeding is not decided by the Committee within this stipulated period, the Court would be required to take serious cognizance of it. The petitioner shall appear before the Committee on 23.02.2018. The petitioner shall co-operate in expeditious disposal of the

proceeding. The respondent No. 2/employer may take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceedings. The writ petition is disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

bsb/Feb. 18