

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

WRIT PETITION NO. 1277 OF 2018

Vonod Ukhaji Gawali

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri. Pratap V. Jadhavar, Advocate for Petitioner.

Shri. Vaishali N. Patil, A.G.P. for all Respondents.

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

DATED : 1st February, 2018

PER COURT:

. Mr. Jadhavar, learned advocate submits that validation proceeding in respect of the Tribe Claim of the petitioner is pending since December 2016. The employer had issued notice directing the petitioner to submit the validity within 1 month or else the adverse action would be taken.

2. The learned A.G.P. accepts notice for all respondents and submits that as the petitioner is appointed from the reserved category he has to

submit the validity within 6 months.

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

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

5. The Respondent No. 2 committee shall decide the validation proceedings in respect of the Tribe Claim of the petitioner expeditiously and preferably within one year. The petitioner shall cooperate in expeditious disposal of the proceedings. The petitioner shall appear before the committee on 20.02.2018.

5. The impugned notice is quashed and set aside. The respondent employer shall not take adverse action against the petitioner, only on the ground that the validation proceeding is pending. The writ petition is accordingly allowed. No costs.

[A. M. DHAVALÉ, J.]

[S. V. GANGAPURWALA, J.]