

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

BENCH AT AURANGABAD.

WRIT PETITION NO.1340 OF 2018

Subham S/o Kishanrao Bagulwad... Petitioner.

Versus

The State of Maharashtra
and others. Respondents.

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Mr.M.A.Golegaonkar, advocate for the petitioner.
Mr.S.K.Karlekar, A.G.P. for the State.

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

Date : 05.02.2018.

PER COURT :

1. It is submitted that tribe claim is referred to the Committee in July 2012. The certificate was cancelled on 26.10.2016. It is stated that thereafter again after obtaining the fresh certificate, the proposal is submitted to the Committee for verification. The petitioner is appointed on 22.8.2017. The employer had issued notice directing the petitioner to submit

the validity, else the services will not be continued.

2. Learned A.G.P. on instructions states that the matter is sent for vigilance. Report is awaited.

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

4. Considering above, we pass the following order :

a) The impugned notice is set aside.

b) The Committee shall decide the validation proceeding in respect of the tribe claim of the petitioner expeditiously, preferably within six (6) months. The petitioner shall appear before the Committee on 22.2.2018.

c) The Respondent employer shall not take adverse action against the petitioner only on the

ground that validation proceeding is pending. The Employer may take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceeding.

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

(A.M.DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

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