

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

WRIT PETITION NO. 1552 OF 2018

Balaji Chinanna Almod

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Sunil M. Vibhute, Advocate for the Petitioner.

Mrs. M. A. Deshpande, Addl.G.P. for Respondent Nos. 1 to 3.

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

DATE : 07TH FEBRUARY, 2018.

FINAL ORDER :

. Issue notice of respondents. The learned Addl. G. P. waives notice for all respondents.

2. According to the petitioner validation proceeding is still pending and the employer has issued notice to submit validity certificate or else petitioner's services would be terminated.

2. The learned Addl. G. P. on instructions states that, the Committee has referred the matter to the vigilance.

3. It is for the committee to decide the validation proceeding

expeditiously. It is not in the hands of a litigant to get decided the validation proceedings within stipulated period.

4. In the light of the above, the impugned notice issued by the respondent/employer is quashed and set aside. The respondent No. 2/Committee shall decide the validation proceeding in respect of the tribe claim of the petitioner expeditiously and preferably within a period of eight (08) months from the date of appearance of the petitioner. The petitioner shall co-operate in expeditious disposal of the proceeding. The petitioner shall appear before the Committee on 26.02.2018.

5. The respondent No. 3/employer shall not take any adverse action against the petitioner only on the ground that validation proceeding is pending. Of course, the respondent/employer can take further course of action depending upon the judgment that would be delivered by the Committee in validation proceedings. The writ petition is disposed of. No costs.

[A. M. DHAVALA, J.]

[S. V. GANGAPURWALA, J.]