

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

WRIT PETITION NO. 2143 OF 2018

Yadav Sayanna Nilapwar .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri. Chandrakant A. Jadhav, Advocate for the Petitioner.
Smt. A.V. Gondhalekar, Addl.G.P. for Respondent/State.

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

DATED : 22nd February, 2018

PER COURT:

. The learned advocate for the petitioner submits that the validation proceeding in respect of the Tribe claim of the petitioner is pending since 2013. Even vigilance is conducted, however, subsequent proceedings are not taken up. The Respondent No. 2/employer has issued notice to the petitioner to submit the validity or else, the service of the petitioner would

be terminated.

2. The learned Addl. G. P. accepts notice for all respondents and submits that the petitioner has to cooperate in expeditious disposal of the proceeding and as validity certificate is not submitted within stipulated period, the employer has rightly to issued notice.

3. As contended by the petitioner, vigilance is also over. It is for the committee to decide the proceeding. Of course, the petitioner has to co-operate in expeditious disposal of the proceeding.

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

5. The Respondent No. 4/Committee shall decide the validation proceeding in respect of the Tribe claim of the petitioner expeditiously and preferably within a period of four (04) months from the date of appearance of the petitioner. The petitioner shall appear before the committee on 07.03.2018 and file his say to the vigilance report, if he has not already filed the same.

6. The impugned notice issued by the Respondent No. 2 is quashed and

set aside. The Respondent Nos. 2 and 3 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 accordingly allowed. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

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