

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

**WRIT PETITION NO. 2168 OF 2018**

Vishwanath Balaji Adbe

.. Petitioner

**Versus**

The State of Maharashtra and others

.. Respondents

Shri Sagar S. Phatale, Advocate for the Petitioner.

Mrs. A. V. Gondhalekar, Addl.G.P. for Respondent Nos. 1 to 3.

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

**DATE : 22ND FEBRUARY, 2018.**

**FINAL ORDER :**

. Mr. Phatale, the learned counsel for the petitioner submits that, the validation proceeding is pending since May 2017. The petitioner is appointed in December 2015. The employer has issued notice to submit the validity certificate, else action would be taken.

2. The learned Additional Government Pleader accepts notice for all respondents and submits that, the petitioner has to submit validity within a period of six months from the date of appointment.

2. Considering the fact that, the validation proceeding is pending since May 2017, we pass following order.

3. The respondent No. 2/Committee shall decide the validation proceeding in respect of tribe claim of the petitioner expeditiously and preferably within a period of nine (09) months from the date of appearance of the petitioner. The petitioner shall appear before the Committee on 08.03.2018. The impugned notice is quashed and set aside. The respondent/employer shall not take any adverse action against the petitioner only on the ground that validation proceeding is pending. Of course, the employer may take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceeding. The writ petition is accordingly disposed of. No costs.

**[A. M. DHAVAL, J.]**

**[S. V. GANGAPURWALA, J.]**