

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

WRIT PETITION NO. 2652 OF 2018

Seema D/o Dilip Kurewad

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. S.M.Vibhute, Advocate for the Petitioner

Mr. P.S. Patil, A.G.P. for Respondents/State

Mr. Pratap Vikhe Patil h/f Mr.S.S.Gangakhedkar, Advocate for
respondent No.3

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

DATE : 12th March 2018

PER COURT

1. Issue notice to the respondents. Learned A.G.P.
accepts notice for respondent Nos. 1 and 2.

2. The validation proceeding in respect of the tribe
claim of the petitioner is pending since 13th January, 2014.
According to the learned counsel for petitioner, even
vigilance is not yet conducted.

3. In spite of the fact that this Court on 26th June, 2015 in writ petition No.6013 of 2015, had directed to decide the validation proceeding within one year, but the same are not decided. Even, vigilance is not yet conducted.

4. In view of the above, we pass the following order :-

i) Respondent No.2 shall decide the validation proceeding within six months from the date of appearance of the petitioner.

ii) The petitioner shall appear before the Committee on 22nd March, 2018.

iii) If the Committee does not decide the validation proceeding within six months, then the Court would take action of contempt against the members of the Committee.

iv) Respondent Nos. 2 and 3 shall not refrain the petitioner from appearing for the examination and also shall not withhold the results of the petitioner only on the ground that validation proceeding is pending.

v) The respondent Nos. 2 and 3 shall not refrain the petitioner from prosecuting the study of the next year only on the ground that validation proceeding is pending.

vi) The respondent Nos. 1 and 2 may take further course of action depending upon the Judgment that would be delivered by the Committee.

5. The writ petition is accordingly disposed of. No costs.

(A.M.DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

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