

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

WRIT PETITION NO. 1091 OF 2019

Tukaram Deorak Thakur .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 1096 OF 2019**

Chandrakant Ashokrao Thakur .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Madhur A. Golegaonkar, Advocate for the Petitioner in both matters.

Shri A. B. Chate, A.G.P. for Respondent Nos. 1 to 4 in both matters.

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

DATE : 12TH MARCH, 2019.

FINAL ORDER :

. Present petitions are filed seeking directions against the Committee to decide the proceedings expeditiously, so also against the employer not to take coercive action.

2. It is suggested that, the tribe claims for verification of petitioners' caste claims are pending with the respondent/Committee since the year 2006. Same are not yet decided. This Court in Writ Petition No. 5603 of 2017 under order dated April 26, 2017 had directed the Committee to decide the proceedings within a period of three months. Almost two years have lapsed. The learned Assistant Government Pleader on instructions submits that, the Committee would decide the proceedings within a period of six (06) months from today. The petitioners are enjoying protection in service without their claims being decided. The Committee had also not sought for extension of time to decide the proceedings. The attitude of the Committee in not deciding the proceedings is irresponsible.

3. The Committee shall decide the proceedings in respect of the Tribe claims of petitioners within a period of four (04) months from the date of appearance of the petitioners. The petitioners shall appear before the Committee on 27th March, 2019. In case the Committee does not adhere to the directions given by this Court, then we would be required to initiate action against the Member Secretary of the respondent No. 2 Committee. The petitioners are also required to cooperate in expeditious disposal of the proceedings.

4. Till the proceedings are decided by the Committee, the

employer shall not take any coercive action against petitioners only on the ground that their validation proceedings are pending. However, the employer is entitled to take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceedings.

5. In view of the above, writ petitions are disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

bsb/March 19