IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1725 OF 2016

Pathan Shakil Ahmad Khan Ahmed
Shah Khan .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Madhur A. Golegaonkar, Advocate h/f Shri A. S. Golegaonkar, Advocate for the Petitioner.
Mrs. Geeta L. Deshpande, A.G.P. for Respondent Nos. 1 and 2.
Shri N. R. Shaikh, Advocate for the Respondent No. 3.

CORAM : S. V. GANGAPURWALA AND
AVINASH G. GHAROTE, JJ.
DATE : 08TH NOVEMBER, 2019.

FINAL ORDER :

. The learned advocate for the petitioner submits that, the validation proceeding in respect of tribe claim of the petitioner is pending since the year 2010. It is not yet decided. During the pendency of the writ petition, the employer has also issued notice to submit the validity certificate, else his services would be terminated.

2. We have heard Mr. Shaikh, the learned advocate for the respondent No. 3 and the learned Assistant Government Pleader.

3. To get the validation proceeding decided within a stipulated period is not in the hands of a litigant. Considering

the above, we pass following order.

4. The Scrutiny Committee shall decide the validation proceeding in respect of the tribe claim of the petitioner expeditiously and preferably within a period of six (06) months from the date of appearance of the petitioner. The petitioner shall appear before the Committee on 09th December, 2019 and cooperate in expeditious disposal of the proceeding. If the petitioner does not cooperate in expeditious disposal of the proceeding, the Committee is entitled to proceed with the matter.

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 employer can take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceeding.

6. In view of the above, the writ petition is disposed of. No costs.

[AVINASH G. GHAROTE, J.] [S. V. GANGAPURWALA, J.]

bsb/Nov. 19