

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

WRIT PETITION NO.7850 OF 2019

SHANTARAM PRALHADRAO NALGIRE
VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Shri Mrigesh D. Narwadkar
AGP for Respondents No. 1 to 3 : Shri P. S. Patil

...

**CORAM : S.V. GANGAPURWALA &
K.K. SONAWANE, JJ.**

DATE : 22nd AUGUST, 2019.

PER COURT :

1. Heard. The proposal seeking permanent approval to the appointment of the petitioner is rejected only on the ground that caste validity certificate is not submitted.
2. According to the learned counsel for the petitioner, the validation proceedings are still pending before the Committee and the same are not yet decided. We have also heard the learned AGP.
3. To get the proceedings decided within stipulated period is not in the hands of the litigants.
4. Considering the above, we pass the following order :

ORDER

1. Impugned order is quashed and set aside.
2. In case all other requirements are satisfied, the Education Officer shall not refuse to give approval to the petitioner only on the ground that validity certificate is not yet submitted. In that case the approval can be granted by the Education Officer subject to the grant of validity certificate.
3. The Committee shall decide validation proceedings in respect of the claim of the petitioner expeditiously, preferably within four months from the date of appearance of the petitioner. The petitioner shall appear before the Committee on 5th September, 2019. The petitioner shall co-operate in expeditious disposal of the said proceedings.
4. Depending on the judgment that will be delivered by the Committee, respondent Nos. 2 and 4 may take further course of action with regard to the employment of the petitioner.
5. Writ petition is disposed of. No costs.

(K. K. SONAWANE, J.)

(S. V. GANGAPURWALA, J.)

SVH