

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

934 WRIT PETITION NO.10352 OF 2019

SHITAL ASHOK SAPKAL

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Vishnu Madan Patil h/f Mr. Pratap V. Jadhavar,
Advocates for the Petitioner.

Mrs. A. V. Gondhalekar, AGP for Respondents-State.

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**CORAM : S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATED : 21st AUGUST, 2019.

PER COURT:-

1. The learned counsel for the petitioner submits that the validation proceeding in respect of the tribe claim of the petitioner is pending with respondent no.2-Committee since 05.12.2018. The employer has issued Show Cause Notice to the petitioner to submit validity certificate on or before 26.08.2019, else the action would be taken against the petitioner.

2. The learned A.G.P accepts notice for all respondents.

3. To get the proceedings decided within stipulated time is not in the hands of the litigants.

4. The committee shall decide the validation proceeding in respect of the tribe claim of the petitioner within a period of six months from the date of appearance of the petitioner. The petitioner shall appear before the committee on 05.09.2019.

5. The impugned show cause notice is quashed and set aside. The employer shall not take any adverse action against the petitioner only on the ground that the validation proceedings are pending. The respondent-employer may take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceedings.

6. Writ Petition is disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE