

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

WRIT PETITION NO.10394 OF 2019

SUREKHA DHONDU DANDGE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. A. V. Indrale Patil h/f. Mr. Pratap V. Jadhavar
AGP for Respondents : Mrs. A. V. Gondhale

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

DATED : 22nd AUGUST, 2019.

ORDER :-

Learned counsel for the petitioner submits that validation proceeding in respect of tribe claim of the petitioner is pending with the committee since December-2016. The employer has issued show-cause notice for submission of validity certificate, else adverse action would be taken against the petitioner.

2. Issue notice to the respondents. Learned AGP waives service of notice on behalf of all respondents.

3. The tribe claim of the petitioner is pending since December-2018. The respondent No.2/Committee shall take decision upon the same on its own merits and in accordance with law expeditiously and preferably within a period of six months from the date of appearance of petitioner. The petitioner shall appear before the respondent No.2/Committee on 4th September, 2019.

4. In light of the above the impugned show-cause notice is quashed and set-aside. The employer shall not take adverse action against the petitioner only on the ground that tribe claim of the petitioner is pending. Of course, the respondent can take further course of action depending upon the Judgment that would be delivered by the committee in validation proceeding. Writ Petition is disposed of. No costs.

**[K. K. SONAWANE]
JUDGE**

**[S. V. GANGAPURWALA]
JUDGE**