

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

WRIT PETITION NO. 12256 OF 2018

Balaji s/o Sambhaji Tumbalwad

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. G.J. Karne, Advocate for Petitioner

Mr. P.S. Patil, Additional Government Pleader for
Respondent Nos. 1 and 2

Mr. S.P. Sonwane, Advocate for Respondent No. 4

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**

DATE : 8th FEBRUARY, 2019

ORAL ORDER:

1. The learned Counsel for the petitioner submits that the tribe claim of the petitioner is pending with the Committee. However, since 2014, the same is not yet decided. The employer is taking adverse action against the petitioner for not submitting the validity certificate.

2. The learned Additional Government Pleader on instructions submits that the Committee has referred the matter to the Vigilance.

3. The respondent No. 2 shall decide validation proceedings in respect of tribe claim of the petitioner expeditiously, preferably

within a period of six weeks from the date of appearance of the petitioner. The petitioner shall appear before the Committee on 27th February, 2019 and co-operate in expeditious disposal of the proceeding.

4. The respondent-employer shall not take adverse action against the petitioner only on the ground that the validation proceeding is pending. The respondent-employer can take further course of action depending upon the Judgment that would be delivered by the Committee in validation proceeding.

5. The writ petition is disposed of.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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