

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.13509 OF 2019

Umesh s/o Popat Kolte

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr.S.R.Barlinge, advocate for the petitioner.
Mr.S.B.Narwade, AGP for the Respondents.

**CORAM : S.V.GANGAPURWALA &
AVINASH G. GHAROTE,J J.**

DATE : 07th November, 2019

PER COURT:

1 Learned Counsel for the petitioner submits that the validation proceeding in respect of tribe claim of the petitioner is pending with Respondent No.2-Committee. However, the Respondent-employer has issued a notice to the effect that if the validity certificate is not submitted within three months, petitioner's services will be terminated.

2 We have also heard the learned AGP for Respondents.

3 To get the validity certificate is not in the hands of the litigant. In the light of that, we pass the following order:

(i) The Respondent No.2-Committee shall decide the validation proceedings in respect of tribe claim of the petitioner expeditiously, preferably within six months from the date of appearance of the petitioner and the petitioner shall appear before the Committee on 10th December, 2019.

(ii) The impugned notice is quashed and set aside. Respondent No.3-employer shall not take adverse action against the petitioner only on the ground that validation proceeding is pending.

(iii) Respondent-employer can take consequential action against the petitioner depending upon the judgment that would be delivered by Respondent No.2-Committee.

4 Writ Petition is accordingly disposed of. No costs.

AVINASH G. GHAROTE
JUDGE

S.V.GANGAPURWALA
JUDGE

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