

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

WRIT PETITION NO. 122 OF 2020

**VENKAT SAMBHAJI SURYWAD
VERSUS
SCHEDULED TRIBE CERTIFICATE SCRUTINY COMMITTEE
AURANGABAD THOROUGH ITS MEMBER SECRETARY AND
ANOTHER**

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Advocate for Petitioner : Mr. Phatale Sagar S
Addl.G.P. for Respondents : Mrs. A. V. Gondhalekar

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

DATE: 06th JANUARY, 2020

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. 1 / scrutiny committee since April 2018. The employer has issued notice to the petitioner to produce the validity within one month or else the services would be terminated.

2. We have heard the learned Additional Government Pleader

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

4. Respondent no. 1 shall decide the validation proceeding in respect of the tribe claim of the petitioner expeditiously and preferably within a period of six (06) months from the date of appearance of the petitioner. The petitioner shall appear before the committee on 29.01.2020. The impugned communication is quashed and set aside. The respondent / employer shall not take adverse action against the petitioner only on the ground that validation proceeding is pending. The respondent / employer may take further course of action depending upon the judgment that will be delivered by the committee in the validation proceeding.

5. Writ Petition is accordingly disposed of. No costs.

[MANGESH S. PATIL, J.]
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[S. V. GANGAPURWALA, J.]