

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
954 WRIT PETITION NO.1097 OF 2020**

SANTOSH SAKHARAM JADHAV

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Deepak D. Chaudhari and Mr. R. B. More,
Advocates for the Petitioner.

Mr. S. G. Karlekar, AGP for Respondents-State.

...
CORAM : S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.
DATED : 16th JANUARY, 2020.

PER COURT:-

1. The learned counsel submits that the validation proceedings in respect of the tribe claim of the petitioner is pending with respondent no.2-Committee since September 2018. The employer has issued notice directing to submit validity certificate or else services of the petitioner would be terminated.

2. The learned A.G.P. appears for all respondents and submits that as the petitioner fails to submit validity within a stipulated period, the employer is within its power to take action.

3. To get the validation proceedings decided within stipulated period is not in the hands of the litigants. It is submitted that the vigilance is also not completed as yet.

4. Considering the above, we pass following order:

ORDER

- (I) The Committee shall endeavour to decide the validation proceedings 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.
- (II) The petitioner shall appear before the Committee on 03.02.2020. The petitioner shall co-operate in expeditious disposal of the validation proceedings before respondent no.2-Committee.
- (III) The impugned notice is quashed and set aside.
- (IV) The employer shall not take adverse action against the petitioner only on the ground that the validation proceeding is pending. The employer may take further course of action depending upon the judgment that would be delivered by the committee in the validation proceeding.

5. Writ Petition is disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE