

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

WRIT PETITION NO. 1297 OF 2020

Shivkanta Laxman Singarwad .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Sunil M. Vibhute, Advocate for the Petitioner.

Shri S. G. Karlekar, A.G.P. for Respondent Nos. 1 to 4.

**CORAM : S. V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 21ST JANUARY, 2020.

FINAL ORDER :

. The validation proceeding in respect of the tribe claim of the petitioner is pending since the year 2019. The notice is issued to the petitioner of taking adverse action for non submission of validity certificate. The learned counsel for the petitioner submits that, vigilance is not conducted.

2. The candidate has no role to play in the validation proceeding, till vigilance report is submitted. It is not in the hands of a litigant to get the proceeding decided within the stipulated period.

3. Considering the above, we pass following order.

4. The respondent No. 2/Committee shall decide the validation proceeding in respect of tribe claim of the petitioner

expeditiously and preferably within a period of five (05) months from the date of appearance of the petitioner. The petitioner shall appear before the Committee on 06th February, 2020. Till the validation proceeding is decided, the respondent/employer shall not take adverse action against the petitioner only on the ground the validity certificate is not produced. The employer may take further course of action depending upon the judgment that would be delivered by the respondent No. 2/committee in the validation proceeding.

5. In view of the above, the writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

bsb/Jan. 20