

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

946 WRIT PETITION NO.3941 OF 2020

SAMBHAJI KISHANRAO GHANTE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr.Sunil M. Vibhute

AGP for Respondents/State:Mr.P.S.Patil

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

DATE : 12/03/2020.

PER COURT :-

. The validation proceeding in respect of tribe claim of the petitioner is pending. The employer has issued a letter to the petitioner directing him to submit validity certificate by 11th March, 2020, else the adverse action would be initiated.

2. It is submitted that validation proceeding is pending since 2014. The vigilance is not yet conducted. It is not in the hands of the

petitioner to get the proceeding decided within stipulated period. Hence, we pass the following order:-

ORDER

i] The respondent No.4 Committee shall decide the validation proceeding in respect of tribe claim of the petitioner expeditiously and preferably within a period of six months from the date of appearance of the petitioner.

ii] The petitioner shall appear before the respondent No.4 on 26th March, 2020.

iii] The impugned communication is quashed and set-aside.

iv] The respondent employer shall not take adverse action against the petitioner only on the ground that 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.

v] In the light of the above, the writ petition is disposed of. No costs.

vi] Parties to act upon an authenticated copy of this Order.

(**SHRIKANT D. KULKARNI**)
JUDGE

(**S. V. GANGAPURWALA**)
JUDGE

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