

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

WRIT PETITION NO. 6062 OF 2020

Rameshwar Uttamrao Tekle ... Petitioner.

Versus

The State of Maharashtra
and others ... Respondents.

....

Mr. S.S. Phatale, Advocate for the Petitioner.
Mr. K.B. Jadhavar, A.G.P. for all the Respondents..

....

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

DATE : 08th SEPTEMBER, 2020

PER COURT:-

. Learned AGP accepts notice for all the respondents.

2. The learned counsel for the petitioner submits that the validation proceeding is pending since 2017. The employer has issued notice to the petitioner to submit the validity certificate else adverse action would be taken.

3. To get validation proceeding decided within stipulated period is not in hands of the litigants. The vigilance is not yet conducted, as submitted by the learned counsel for the petitioner. It is only after the vigilance is conducted, the role of the petitioner to appear before the committee would arise.

4. In the light of the above, we pass the following order:-

5. The Respondent No.2 – Committee shall decide the validation proceeding in respect of the tribe claim of the petitioner expeditiously and preferably within a period of nine (09) months from the date of appearance of the petitioner. The petitioner shall appear before the committee on 07.10.2020.

6. The impugned order is quashed and set aside. 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 on the validation proceeding of the petitioner.

7. The writ petition is accordingly disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE