

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

WRIT PETITION NO. 6522 OF 2020

Hanmant Pandurang Kalbone

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. Sunil M. Vibhute, Advocate for the Petitioner.

Mr. A. R. Kale, AGP for Respondent Nos. 1 and 2.

Mr. A. B. Dhongade, Advocate for Respondent No. 3.

**CORAM : S. V. GANGAPURWALA &
R. G. AVACHAT, JJ.**

DATED : 23rd SEPTEMBER, 2020.

PER COURT:-

. The learned A.G.P accepts notice for respondent Nos. 1 and 2.

Mr. Dhongade, learned counsel accepts notice for respondent No. 3.

2. The petitioner is aggrieved by the communication issued by the employer directing petitioner to submit the validity certificate or else the services of the petitioner would be terminated.

3. It is submitted that the validation proceeding is still pending. To get the validation proceeding decided within the stipulated period is not in the hands of the litigant. The vigilance is not yet conducted. The petitioner has no role unless and until the vigilance is completed.

4. In the light of that, we pass the following order.

5. The impugned order is quashed and set aside. The employer shall not take adverse action against the petitioner only on the ground that validation proceeding is pending. 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 six (06) months from the date of appearance of the petitioner. The petitioner shall appear before the committee on 07.10.2020 and shall co-operate in expeditious disposal of the proceeding.

6. Writ petition is disposed of. No costs.

(R. G. AVACHAT)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.