

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
53 WRIT PETITION NO.6995 OF 2020**

ANUKSH RAMA NALAPALLE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND ORS. ..RESPONDENTS

...

Mr. Omgashad B. Boinwad, Advocate for the
Petitioner.

Mr. S. R. Yadav Lonikar, AGP for Respondents-State.

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**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.
DATED : 16th OCTOBER, 2020.**

PER COURT:-

1. The learned counsel submits that the validation proceeding in respect of the tribe claim of the petitioner is pending since 15.03.2018. The employer has issued notice directing the petitioner to submit validity or else the service of the petitioner would be terminated.

2. The learned A.G.P. accepts notice for all respondents and submits that as the petitioner has not submitted the validity, the impugned notice is rightly issued.

3. It appears that, the petitioner has submitted proposal for validation of his caste certificate. As contended by the petitioner, same is still pending. The vigilance is not conducted.

4. The petitioner does not have role to play unless the vigilance is conducted and the vigilance

report is served upon the petitioner. It is not in the hands of the litigants to get the proceedings decided within the stipulated period.

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

ORDER

i. The impugned notice is quashed and set aside.

ii. The Committee shall decide the validation proceeding in respect of the caste claim of the petitioner expeditiously and preferably within a period of six (06) months from the date of appearance of the petitioner.

iii. The petitioner shall appear before the Committee on 04.11.2020.

iv. The employer shall not take any adverse action against the petitioner only on the ground that the validation proceeding is pending.

v. The employer may take further course of action against the petitioner depending upon the judgment that would be delivered by the Committee in the validation proceeding.

6. Writ Petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE