

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

WRIT PETITION NO. 7296 OF 2020

Vijay s/o Rajenna Gonelwar

.. Petitioner

Versus

The State of Maharashtra and ors.

.. Respondents

Mr S.M. Vibhute, Advocate for petitioner
Mr S.G. Karlekar, A.G.P. for respondents

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

DATE : 23rd October 2020

PER COURT:

1. The learned Counsel for the petitioner submits that the validation proceeding in respect of the tribe claim of the petitioner is pending since 2018. The employer has issued notice to produce the validity certificate or else action would be taken against the petitioner.
2. The learned A.G.P. accepts notice for all the respondents.
3. To get the proceeding decided in a stipulated period is not in the hands of litigant.
4. The impugned order is quashed and set aside. The Committee shall decide the validity proceeding in respect of tribe claim of the petitioner within six months from the date of appearance of the petitioner before it. The petitioner shall appear before the Committee on 1st December 2020 and co-operate in expeditious disposal of the proceeding.

5. The employer shall not take adverse action against the petitioner only on the ground that the validation proceeding is pending. The employer may take action against the petitioner depending upon the judgment that would be delivered by the Committee in validation proceeding.

6. Writ Petition disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)

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