

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

WRIT PETITION NO. 7459 OF 2020

Dnyaneshwar Prakash Thakur .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Madhur A. Golegaonkar, Advocate for the Petitioner.
Shri S. K. Tambe, A.G.P. for Respondent Nos. 1 to 4.

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

DATE : 02ND NOVEMBER, 2020.

FINAL ORDER :

. The learned counsel for the petitioner submits that, the validation proceeding in respect of the tribe claim of the petitioner is pending since December 2019 after obtaining the corrected tribe certificate. The department has issued notice to terminate the services of the petitioner if validity is not submitted.

2. We have also heard the learned Assistant Government Pleader for respondents/State.

3. To get the validation proceedings decided within a stipulated period is not in the hands of a litigant. In view of that, we pass the following order.

4. The impugned notice is quashed and set aside. The committee is directed to decide the validation proceedings in respect of tribe claim of the petitioner within a period of nine (09) month from the date of appearance of the petitioner. The petitioner shall appear before the Committee on 01st December, 2020. The 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 validation proceeding.

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

[R. G. AVACHAT, J.]

[S. V. GANGAPURWALA, J.]

bsb/Nov. 20