

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

WRIT PETITION NO. 8115 OF 2020

Manisha Eknath Toradmal
@ Manisha Ramesh Vibhute

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. Sagar S. Phatale, Advocate for the Petitioner.
Mr. A. B. Chate, AGP for Respondent Nos. 1 and 2.

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

DATED : 09th DECEMBER, 2020.

PER COURT:-

. The learned counsel for the petitioner submits that the validation proceeding in respect of the tribe claim of the petitioner is pending. Initially, the proceeding was referred to the committee in the year 2011. In the year 2014, the committee disposed of the proceeding on technical grounds. This Court set aside the order of the committee and remanded the matter to the committee and since 2014 the said proceeding is pending. The employer has issued notice directing the petitioner to submit validity certificate or else the petitioner would be placed on supernumerary post.

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

3. The learned counsel for the petitioner submits that the vigilance is not yet conducted.
4. To get the proceeding decided within the stipulated period is not in the hands of the litigant.
5. The committee shall endeavour to 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 04.01.2021. The petitioner shall co-operate in expeditious disposal of the proceeding.
6. The impugned order is quashed and set aside as the impugned order is issued without notice to the petitioner and without hearing the petitioner. In case, the respondents want to take any action as is contemplated in the impugned letter, the respondents shall follow the principles of natural justice and issue notice to the petitioner.
7. Writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.