

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

WRIT PETITION NO. 13795 OF 2019

Parmeshwar Dhondiba Injepwad

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. O. B. Boinwad, Advocate for Petitioner.

Mrs. M. A. Deshpande, AGP for Respondent Nos. 1 and 4.

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

DATED : 27th JANUARY, 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 since November 2014. The same is not decided as yet. The vigilance is also not conducted. The respondent No. 3 / employer has issued notice to submit the validity certificate or else the services of the petitioner would be terminated.

2. In spite of issuing notice to the respondent Nos. 2 and 3, none appears for respondent Nos. 2 and 3 though served.

3. In case, the validation proceeding in respect of the tribe claim of the petitioner is pending with respondent No. 4, then respondent No. 4

shall decide the same on its own merits, 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 10.02.2020.

4. The impugned notice is quashed and set aside. The respondent Nos. 2 and 3 shall not take adverse action against the petitioner only on the ground that validation proceeding is pending. The respondent Nos. 2 and 3 may take further course of action depending upon the judgment that would be delivered by the committee in the validation proceeding.

5. Writ petition accordingly is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.