

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
950 WRIT PETITION NO.3676 OF 2021**

PRASHANT BHOJRAM KARKHELIKAR ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA THR ITS SECRETARY AND
OTHERS ..RESPONDENTS

...

Mr. Shrikrashna B. Solanke, Advocate for the
Petitioner.

Mr. A. R. Kale, AGP for Respondents-State.

...
**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.
DATED : 24th FEBRUARY, 2021.**

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. The order is issued intimating the petitioner to submit the validity certificate or else the service of the petitioner would be terminated.

2. The learned A.G.P. accepts notice for all respondents.

3. According to the learned counsel for the petitioner the vigilance is not yet conducted.

4. Unless and until vigilance is conducted, the petitioner has no role to play in the validation proceeding.

5. Considering the above, we pass the following order:

ORDER

- A. The impugned order is quashed and set aside.
- B. The petitioner shall appear before the committee on 10.03.2021.
- C. The committee shall endeavour to decide the validation proceeding in respect of the tribe claim of the petitioner preferably within a period of six months from the date of appearance of the petitioner before the committee.
- C. The respondent shall not take adverse action against the petitioner only on the ground that the validation proceeding is pending.
- D. 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