

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

WRIT PETITION NO. 9208 OF 2021

Manisha Eknath Toradmal @
Manisha Ramesh Vibhute .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Sagar S. Phatale, Advocate for the Petitioner.
Shri S. W. Mundhe, A.G.P. for Respondent Nos. 1 and 2.

**CORAM : S. V. GANGAPURWALA AND
R. N. LADDHA, JJ.**

DATE : 23RD AUGUST, 2021.

FINAL ORDER :

. The learned counsel for the petitioners submit that, the validation proceeding in respect of tribe claim of the petitioner is pending. The employer has issued show cause notice to the petitioner to produce validity certificate, else adverse action would be taken and petitioner would be placed on supernumerary post.

2. The learned Assistant Government Pleader accepts notice for respondents/State.

3. It is submitted that, the validation proceeding is pending with the committee since the year 2011.

4. Considering the fact that, the validation proceeding is

pending with the Committee, we pass following order.

5. The petitioner shall appear before the Committee on 14th September, 2021. The Committee shall endeavour to decide the validation proceeding on its own merits, in accordance with law, expeditiously and preferably within a period of six (06) months from the date of appearance of the petitioner. The petitioner shall co-operate in expeditious disposal of the proceeding. The impugned order is quashed and set aside. The employer may not take adverse action against the petitioner only on the ground that validation proceeding is pending. Of course, the employer may take further course of action depending upon the judgment that may be delivered in the validation proceedings.

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

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

bsb/Aug.21