

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

WRIT PETITION NO. 12055 OF 2021

Kishan Kashinath Ghogare .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Mr. Apparao Yenegure, Advocate for the Petitioner.

Mr. P. K. Lakhotiya, AGP for Respondent Nos. 1 and 2.

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

DATED : 28th October, 2021.

PER COURT:-

. The tribe claim of the petitioner is pending with the scrutiny committee since June 2017.

2. This Court in Writ Petition No. 9959 of 2019 had already directed the committee to decide the validation proceeding within a period of four (04) months from 21.08.2019. We had further directed the employer not to take coercive action/adverse action against the petitioner only on the ground that validation proceeding is pending.

3. The learned counsel submits that the validation proceeding is still pending. In view of that, it was not necessary for the petitioner to file the present writ petition, nor the employer should have resorted to

any action on account of non submission of validity certificate till the validation proceeding is pending.

4. We once again direct the committee to decide the validation proceeding within a period of six (06) months from the date of appearance of the petitioner. The petitioner shall appear before the committee on 23.11.2021. If the committee does not decide the proceeding within the time stipulated by this Court in the present order the same would be viewed seriously. Till the decision in the validation proceeding, the employer shall not take adverse action against the petitioner.

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

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.