

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

906 WRIT PETITION NO. 14762 OF 2017
WITH CA/2074/2021

VASANT VISHRAM MAGARE
VERSUS
SCHEDULED TRIBE CERTIFICATE SCRUTINY COMMITTEE,
AURANGABAD AND OTHERS

Advocate for Applicants : Mr. M.M. Ambhore.
AGP for Respondent No. 1 : Mr. S.K. Tambe.
Advocate for Respondent Nos. 2 & 3 : Mr. M.M. Ambhore.

**CORAM : S.V. GANGAPURWALA &
R.N. LADDHA, JJ.
DATED : 05.08.2021**

PER COURT :

Heard the learned counsel for the petitioner and the respondents.

2. It is submitted that the validation proceeding in respect of the tribe claim of the petitioner is still pending. The same is not yet decided.

3. It is submitted that vigilance is not yet completed.

4. To get the proceeding decided within stipulated period is not in the hands of the litigants.

5. In the light of the above, we pass the following order :

ORDER

- i. The petitioner shall appear before the respondent No. 1 / Committee on 06.09.2021 and co-operate in expeditious disposal of the proceedings.
- ii. The Committee shall endeavor to decide the proceeding within six months from the date of appearance of the petitioner.
- iii. The impugned notice is quashed and set aside.
- iv. The employer shall not take adverse action against the petitioner only on the ground that validation proceeding is pending.
- v. The employer may take further course of action depending upon the judgment that may be delivered by the Committee in the validation proceeding.
- vi. Writ Petition is disposed of. No costs.
- vii. In view of the disposal of the Writ Petition, Civil Application is also disposed of.

(R.N. LADDHA, J.)

(S.V. GANGAPURWALA, J.)