

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

64 WRIT PETITION NO.14806 OF 2021

**TRISHULA ARVIND PATIL
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND
OTHERS**

...
Advocate for Petitioner : Mr. Vibhute Sunil M.
AGP for Respondent/s-State : Mr. S. G. Karlekar.
...

**CORAM : A. S. GADKARI, AND
S. G. MEHARE, JJ.**

DATE : 03.01.2022

PER COURT :-

1. It is the contention of the petitioner that, though she had submitted her application for validation of her caste with respondent No.2 in the year 2019, the same has not been decided till date. By the impugned notice dated 10.12.2021, respondent No.4 has directed petitioner to produce her caste validity certificate forthwith, failing which, necessary action would be initiated against her.

2. It is by now the settled position that, to get the validation proceedings decided within stipulated period is not within the purview of the litigants and he/she has to appear

before the concerned Committee after receipt of notice in that behalf.

3. Learned AGP, on instructions, submitted that respondent No.2 could not conclude hearing of the said proceeding as the report from Vigilance Cell is not yet received. He on instructions from respondent No.2, further submitted that, the said committee will make an endeavour to decide the proposal / application of petitioner for validation of her caste within a period of three (3) months from today.

4. In view thereof, respondent No.2 is directed to make an endeavour and decide the application of petitioner within a period of four (4) months from today, without seeking further extension in that behalf.

5. In view of the above, impugned notice dated 10.12.2021 is quashed and set aside.

Respondent No.4 is directed not to take adverse action against the petitioner only on the ground that validation proceeding is pending or the petitioner has not submitted caste validity certificate till date.

6. It is needless to mention that respondent No.4 / employer may adopt appropriate course of action after the

decision by respondent No.2 i.e. the Schedule Tribe Certificate Verification Committee and the order that may be passed in the said proceeding.

7. Writ Petition is disposed off in the aforesaid terms.

(S. G. MEHARE, J.)

(A. S. GADKARI, J.)

...

vmk/-