

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

WRIT PETITION NO. 7864 OF 2020

Mohan Vithoba Rode

... Petitioner.

Versus

The State of Maharashtra
and others

... Respondents.

....

Mr. P.V. Jadhavar, Advocate for the Petitioner.

Mr. A.R. Kale, A.G.P. for Respondent Nos. 1 and 2.

....

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 30th JANUARY, 2021

PER COURT:-

1 Though the respondent Nos. 3 and 4 are served, none appears for them.

2. Mr. Jadhavar, learned counsel for the petitioner submits that the validation proceeding is pending with the committee. The employer has issued show cause notice directing the petitioner to produce validity certificate or else the service of the petitioner would be terminated.

3. It is submitted that the vigilance is not yet conducted by the committee. Unless the vigilance is conducted, the petitioner has no role to play in getting the validation proceeding decided.

4. In light of that, we pass the following order.

5. The respondent No.2 / Committee shall decide the validation proceeding in respect of the tribe claim of the petitioner expeditiously and preferably within a period of six (06) months from the date of appearance of the petitioner. The petitioner shall appear before the committee on 15.02.2021.

6. The petitioner shall cooperate in expeditious disposal of the validation proceeding.

7. The impugned notice is quashed and set aside. The respondent Nos. 3 and 4 shall not take adverse action against the petitioner only on the ground that the validation proceeding is pending. The employer may take further course of action depending upon the judgment that would be delivered on the validation proceeding of the petitioner. The writ petition is disposed of. No costs.