

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.67 OF 2017

Vinod S/o Shesherao Adatrao Vs. The State of Maharashtra and others.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.E.S.Murge, advocate for the petitioner.
Mrs.M.A.Deshpande, Addl. Government Pleader for the State.
Mr.S.S.Dande, advocate for Respondent No.3.

**CORAM : S.V.GANGAPURWALA AND
K.L.WADANE, JJ.**

Date : 06.01.2017.

PER COURT :

1. Heard.
2. Issue notice to the Respondents.
3. Learned Additional Government Pleader waives notice for Respondent Nos.1 and 2.
4. Mr.Dande, learned counsel waives notice for Respondent No.3.
5. The petitioner is appointed as Assistant by the Respondent No.3 on 9.10.2015. Notice is issued to the petitioner dated 3.1.2017, directing the petitioner to submit the validity certificate before 8.1.2017.

6. Mr.Dande, learned counsel submits that the said communication issued on the basis of the order of this Court dated 3.10.2016 in W.P.No.9995/2016, whereby it is observed that Vigilance Cell report is already submitted and directions were issued to decide the proceedings within three (3) months.

7. It is for the Committee to take decision as per the orders of this Court. However, it would not be appropriate for Respondent No.3 to take adverse action against the petitioner only because the Committee has not decided the proceedings.

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

a) The Respondent No.3 shall not take adverse action against the petitioner only on the ground that validity is not submitted as validation proceedings are pending. Of-course, the Respondent No.3 can take further course of action upon decision of the Scrutiny Committee in the validation proceedings in respect of the caste claim of the petitioner. The Respondent No.2 Committee shall decide the proceedings expeditiously as directed by this Court under order dated 3.10.2016 in W.P.No.9995/2016.

b) Rule accordingly made absolute in above terms. No costs.

c) Authenticated copy be given.

(K . L . WADANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.06.01.2017.
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