

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

WRIT PETITION NO. 1080 OF 2019

Sachin Suryabhan Palhal

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Madhur A. Golegaonkar, h/f Shri A. S. Golegaonkar,
Advocate for the Petitioner.

Shri A. B. Chate, A.G.P. for Respondent Nos. 1 to 4.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 12TH MARCH, 2019.

FINAL ORDER :

. It is submitted that, validation proceedings in respect of tribe claim of the petitioner is pending since 2003. The petitioner is appointed as a Pharmacy Officer, Group - C with the respondent establishment on 06th February, 2008. The validation proceeding is not yet decided. The vigilance has been conducted. The petitioner has filed his say to the vigilance report also. The employer had issued letter dismissing the petitioner from service. After ad-interim orders are passed by this Court, the petitioner was allowed to rejoin the duties under letter dated 06th March, 2019.

2. As the petitioner has been allowed to rejoin the duties as per ad-interim orders passed by this Court, no further orders would be necessary.

3. The learned Assistant Government Pleader on instructions submits that, within a period of three months, the validation proceeding would be decided and twice the petitioner remained absent.

4. The petitioner cannot seek protection also and remain absent before the Committee. The petitioner shall appear before the Committee on 25th March, 2019 and shall not seek any adjournment. The Committee shall decide the validation proceeding within a period of three (03) months from the date of appearance of the petitioner. The respondent/employer shall not take any adverse action against the petitioner only on the ground that validation proceeding is pending. However, respondent/employer can taken further course of action depending upon the judgment that would be delivered by the Committee in the validation proceeding.

5. In view of the above, the writ petition is disposed of. No costs.

[A. M. DHAVALÉ, J.]

[S. V. GANGAPURWALA, J.]

bsb / March 19