

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

WRIT PETITION NO. 2916 OF 2019

**AMOL ASHOK GAWALI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr. Madhur A. Golegaonkar, Advocate for the petitioner
Mr. A.R. Kale, AGP for the respondent/State.

**CORAM : PRASANNA B. VARALE &
S.M.GAVHANE, JJ.
DATED : 28.02.2019**

P.C. :-

1. Heard learned counsel for the petitioner.
2. Considering the grievance raised in the petition and the consequential prayers, the petition is taken up for disposal at the stage of admission.
3. Issue notice to the respondents, returnable forthwith. Learned AGP waives service of notice for respondent Nos.1 and 2.
4. The petitioner was appointed by order dated 11.06.2012 as a "Forest Guard" in respondent No.3-Corporation from reserved category. The claim was submitted to the Committee for validation and the same was accepted by the Committee on 27.06.2013. Accordingly, the copy is placed on record at Exh.'B'. Certain documents are also placed on record to submit that these documents are sufficient enough to support the claim of the petitioner for validation. Our attention was invited to the order of this court dated 30.08.2018. At that point of time the petitioner was faced with a notice dated 06.08.2018 withholding his salary for non submission of the validity certificate. The petitioner was protected by this Court and

the Division Bench of this Court directed the Scrutiny Committee to decide the claim within stipulated period of six months. Learned counsel for the petitioner submitted that in spite of repeated requests to the Committee the claim is still pending before the Committee for decision. It is further submitted by learned counsel for the petitioner that it is came to the knowledge of the petitioner that notices are issued to identically circumstanced persons/employees informing such persons/employees that failure to submit the validity certificate would result in termination of services as the petitioner apprehends a serious threat to his employment/service.

5. Considering these facts and also considering that the apprehension of the petitioner is not unjustified or ill founded, the petition is disposed of with direction to respondent No.2-Committee to decide the claim within ten (10) weeks from today. Respondent No.3 is directed not to take any coercive action against the petitioner on account of non submission of validity certificate. We further make it clear that on decision of the Committee respondent No.3 is at liberty to take appropriate steps or decision as the case may be.

6. With the above directions, the writ petition is disposed of.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]