

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

916 WRIT PETITION NO.15515 OF 2019

VINOD UKHAJI GAWALI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr. P.V. Jadhavar, Advocate for the petitioner.
Smt. M.A. Deshpande, A.G.P. for the State/respondents.

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CORAM : S.V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.

DATE : 19th December 2019.

PER COURT :-

1. Learned Counsel submits that the validation proceeding is pending, however, the employer has issued show-cause notice to produce validity certificate else services would be terminated.

2. Learned A.G.P. waives notice for all the respondents.

3. The validation proceeding is pending since December 2016. It is not in the hands of the litigants to get the proceedings decided within stipulated period.

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

(i) Respondent No.2 Committee shall decide the validation proceedings in respect of the caste claim of the petitioner preferably within six months from the date of appearance of the petitioner.

(ii) The petitioner shall appear before respondent No.2-Committee on 26th December 2019. The impugned show-cause notice (Page 31) is quashed and set aside. The employer may not take adverse action against the petitioner only on the ground that validation proceeding is pending. The employer may take further course of action depending upon the judgment of the Scrutiny Committee on validation proceeding.

5. Writ Petition is disposed of. No costs.

(AVINASH G. GHAROTE, J.)

(S.V. GANGAPURWALA, J.)