

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

WRIT PETITION (STAMP) NO.13206 OF 2020

**BABURAO MAHADU JINEWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr.P.V.Jadhavar, Advocate for petitioner
Mr.S.S.Dande, AGP for respondent no.1

**CORAM : S.V. GANGAPURWALA
AND
R.G. AVACHAT, JJ.
DATE : AUGUST 13, 2020**

PER COURT :-

Heard.

2. Mr.Jadhavar, learned Counsel for the petitioner submits that the caste validation proceedings is pending before the Scrutiny Committee and the same is not yet decided. In Writ Petition No.8363 of 2012, this Court, vide order dated 23.11.2012, directed the Committee to decide the validation proceedings within six months from that date. Learned Counsel submits that now, the employer

has issued a notice to submit validity certificate, else action would be taken against the petitioner. The employer is not paying salary to the petitioner. Learned Counsel for the petitioner contends that the vigilance is completed but the petitioner has not been served with the vigilance report.

3. In view of the above, we direct the petitioner to appear before the Committee on 26.08.2020. On that date, he shall get a copy of the vigilance report and file his say within a period of fifteen days thereafter, before the Committee. The Committee shall decide the proceedings within a period of four months from today.

4. The respondent-employer shall not withhold salary of the petitioner, only on the ground that the validity certificate is not submitted on account of pendency of the validation proceedings.

5. The impugned notice is set aside. The respondent-employer may take further course of action

depending upon the decision that may be delivered by the Committee in the validation proceedings.

6. The Writ Petition is disposed of accordingly. No costs.

[R.G. AVACHAT, J.]

[S.V. GANGAPURWALA , J.]

kbp