

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

**WRIT PETITION NO. 6065 OF 2020**

Ajay Ashruba Bilpe

... Petitioner.

Versus

The State of Maharashtra  
and others

... Respondents.

....

Mr. S.M. Vibhute, Advocate for the Petitioner.

Mr. P.S. Patil, Addl. G.P. for all the Respondents.

....

**CORAM : S. V. GANGAPURWALA AND  
SHRIKANT D. KULKARNI, JJ.**

**DATE : 08<sup>th</sup> SEPTEMBER, 2020**

**PER COURT:-**

- . Learned Addl. GP accepts notice for all the respondents.
2. The learned counsel for the petitioner submits that the validation proceeding is pending with the committee. The employer has issued show cause notice to the petitioner as to why adverse action should not be taken for not submitting the validity certificate. The learned counsel submits that because of the lock-down, the committee could not decide the proceeding within six months as directed by this Court under order dated 31.01.2020 in Writ Petition No.2013 of 2020.

3. Mr. Patil, the learned Addl. G.P. submits that the petitioner is guilty of protracting the proceeding for the issuance of validity certificate. In the year 2014, he was directed to obtain the proper certificate from the Sub Divisional Officer and submit the proposal afresh, the petitioner did not take any steps and after six years applied for the same. The petitioner is enjoying service from the reserved category and at the same time is not prosecuting his validation proceeding.

4. The conduct of the petitioner needs to be deprecated. The petitioner is not only negligent but it appears that the petitioner did not take steps to obtain proper caste certificate for six years and during this period, he was enjoying the service from reserved category. On 31.01.2020, we have directed the committee to decide the validation proceeding within a period of six months. It appears that because of the pandemic and lock-down imposed, the committee could not decide the same.

5. The petitioner is guilty for not being diligent, on the contrary he is solely responsible for not applying for issuance of fresh certificate for six years.

6. The committee has already directed to decide the validation proceeding within a period of six months. We extend the said period by further six months from today. The petitioner shall appear before the committee on 21.09.2020. The petitioner shall deposit costs of Rs.10,000/- with the employer on or before 21.09.2020.

7. The impugned show cause notice is quashed and set aside.

8. If the petitioner prolongs the proceeding before the scrutiny committee, then the employer is at liberty to take further action.

9. Writ Petition is disposed of.

( SHRIKANT D. KULKARNI )  
JUDGE

( S. V. GANGAPURWALA )  
JUDGE

S.P. Rane