

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

WRIT PETITION NO. 8315 OF 2021

Raju Rajeshwar Singarwad

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. G. K. Chinchole, Advocate h/f Mr. Sunil M. Vibhute, Advocate for the Petitioner.

Mr. S. G. Karlekar, AGP for Respondents/State.

**CORAM : S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATED : 04th AUGUST, 2021.

PER COURT:-

. The petitioner is again placed on supernumerary post. The earlier order placing the petitioner on supernumerary post is set aside by this Court under order dated 30.07.2020 in Writ Petition (Stamp) No. 12536 of 2020.

2. It is submitted that the validation proceeding is still pending. In the light of that, the fresh order placing the petitioner on supernumerary post ought not to have been passed by the employer.

3. The learned A.G.P. submits that the vigilance is completed and the vigilance report is also served upon the petitioner. The petitioner

has not filed his say to the vigilance report.

4. The petitioner shall appear before the scrutiny committee on 25.08.2021 and file his say to the vigilance report on the said date.

5. The committee shall thereafter endeavour to decide the validation proceeding by the end of October 2021.

6. The impugned order is quashed and set aside.

7. The employer may not take adverse action against the petitioner only on the ground that validation proceeding is pending.

8. The employer may take further course of action depending upon the judgment that would be delivered by the committee in the validation proceeding.

9. Writ petition is disposed of. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

RS.B.