

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

50 WRIT PETITION NO.7315 OF 2021

RAHUL BALIRAM BOINWAD
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

Advocate for Petitioner : Mr. Anandsingh Bayas.

AGP for Respondents: Mr. P. G. Borade.

...

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

DATE : 05th July, 2021.

P.C.:

. The learned counsel submits that the petitioner is in service with Respondent No.3. The tribe claim of the petitioner is referred to Respondent No.2 in the year 2013. The same is not yet decided. Show cause notice is issued by the employer to the petitioner to produce the validity within seven days or else adverse action would be taken.

2 Issue notice to the Respondents.

3 The learned AGP accepts notice for Respondent/State.

4 To get the proceeding decided within the stipulated period is not in the hands of the litigant.

5 The petitioner shall appear before the Committee on 26th July, 2021. The Scrutiny Committee shall endeavour to decide the said proceeding within six months on its own merits.

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

7 The Respondents shall not take adverse action against the petitioner only on the ground that the 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 validation proceeding.

9 The writ petition is disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]