

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

130 WRIT PETITION NO.7844 OF 2021

**SUNIL BABANRAO KANLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Mr. Thorat Chandrakant R.
AGP for Respondents 1, 2 & 5 : Mrs. M.A. Deshpande
Advocate for Respondents 3 & 4 : Ms. S.K. Doke (Renge)

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

DATED : 20/09/2021.

PER COURT :

. We have heard Mr. C.R. Thorat, learned advocate for the petitioner, the learned A.G.P. and Ms. Doke, learned advocate for respondent Nos. 3 and 4.

2. The petitioner is appointed as Gramsevak. He has completed more than three years of service. The petitioner is still paid only honorarium and not being paid with the pay scale on the ground that validation certificate is not submitted. The learned advocate for the petitioner submits that the petitioner is appointed in the year 2011.

3. Ms. Doke, learned advocate for respondent Nos. 3 and

4 submits that the petitioner though was initially appointed in 2011, subsequently he remained absent and petitioner is reappointed in the year 2015.

4. The learned advocate for the petitioner submits that vigilance is not yet conducted.

5. Unless the vigilance is conducted in the validation proceedings, the petitioner has no role to play. It is not in the hands of the petitioner to get the validation proceedings decided within stipulated period.

6. In the light of above, we direct that the petitioner shall appear before scrutiny committee on 7th of October, 2021.

7. The committee shall endeavour to decide the validation proceedings, preferably within six months from the date of appearance of the petitioner. The petitioner shall cooperate in expeditious disposal of the validation proceedings. If the petitioner does not cooperate in expeditious disposal of validation proceedings, then the committee may proceed further.

8. The respondents shall take decision upon the claim of the petitioner for payment as per the pay scale and same shall not be rejected only on the ground that validation proceedings are still

pending. The respondents, if are satisfied, may grant provisional approval to the petitioner as regular Gramsevak and make payment as per the applicable pay scale.

9. The respondents may take further course of action that would be delivered by the committee in the validation proceedings. The decision shall be taken with regard to the provisional, regular appointment of the petitioner as per the proposal submitted by Block Development Officer to Chief Executive Officer (page 28), preferably within six weeks.

10. Writ petition is disposed of. No costs.

[R.N. LADDHA, J.]

[S.V. GANGAPURWALA, J.]

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