

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

WRIT PETITION NO. 6688 OF 2020

Balaji Prabhakarrrao Ruddewad .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri S. C. Yeramwar, Advocate h/f Shri S. S. Phatale, Advocate
for the Petitioner.

Shri P. K. Lakhotiya, A.G.P. for Respondent Nos. 1 and 2.

Shri S. S. Thombre, Advocate for the Respondent No. 3.

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

DATE : 20TH JANUARY, 2021.

FINAL ORDER :

. Though the respondent No. 4 is served, none appears for the respondent No. 4.

2. Mr. Thombre, the learned counsel appears for the respondent No. 3.

3. The learned counsel for the petitioner submits that, validation proceeding is pending with the Committee. The employer has issued notice to the petitioner to produce validity certificate, else action would be taken.

4. We have also heard the learned Assistant Government

Pleader for respondents/state and the learned counsel for the respondent No. 3.

5. It is submitted that, vigilance is not yet completed in the validation proceeding.

6. To get the validation proceeding decided within a stipulated period is not in the hands of a litigant.

7. In the light of the above, we pass following order.

8. The impugned notice is quashed and set aside. The petitioner shall appear before the Committee on 16.02.2021. The Committee shall endeavour to decide the proceeding on its own merits, in accordance with law, expeditiously and preferably within a period of six (06) months from the date of appearance of the petitioner. The employer shall not take adverse action against the petitioner only on the ground that validation proceeding is pending. The employer may take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceeding.

9. In the light of the above, the writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]
bsb/Jan. 21