

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

WRIT PETITION NO. 8333 OF 2021

Pushpa Ashok Thakur @
Pushpa Daulat Thakur .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

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

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

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

DATE : 04TH AUGUST, 2021.

FINAL ORDER :

. The learned Assistant Government Pleader for respondents/State confirms that the validation proceeding is pending with the committee and the matter is sent for re-vigilance.

2. The learned counsel for the petitioner submits that, the employer has issued notice to the petitioner to submit the validity within three days or else adverse action would be taken.

3. It is not in the hands of the litigant to get the validation proceeding decided within the stipulated period.

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

5. The impugned notice is quashed and set aside. The petitioner shall appear before the Scrutiny Committee on 07th September, 2021 and co-operate in expeditious disposal of the said proceeding. The Committee shall endeavour to decide the proceeding within a period of six (06) months from the date of appearance of the petitioner. The employer may not take adverse action against the petitioner only on the ground that validation proceeding is pending. Of course, the employer may take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceeding.

6. In view of the above, the writ petition is disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

bsb/Aug. 21