

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

1008 Writ Petition No.10046 Of 2021

Aniket Bajirao Wagh

.. Petitioner

Versus

The State of Maharashtra and Others

.. Respondents

...

Mr Sunil M. Vibhute, Advocate for the Petitioner

Mr PN. Kutti, AGP for the Respondent - State

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

DATE : 09-09-2021

PER COURT : -

1. The learned Counsel for the petitioner submits that the proceedings have been referred to by the employer before the Scrutiny Committee for validation. The petitioner is not being issued the appointment order only on the ground that the validity proceedings are pending and the petitioner has to produce the validity certificate. The same is contrary to clause-16 of the advertisement and the Government Resolution dated 12-12-2011.

2. We have considered the submissions canvassed by the learned Counsel for the respective parties. We have also perused the Government Resolution dated 12.12.2011 which says that in case the

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candidate is selected from reserved category then subject to the said candidate producing validity certificate, appointment order can be issued. Considering the above, we pass the following order:-

ORDER

(i) Respondent No.2 - Committee shall decide the validity proceedings of the petitioner expeditiously and preferably within one year. The petitioner shall co-operate in expeditious disposal of the said proceedings.

(ii) In case the petitioner is otherwise eligible and competent to be appointed pursuant to the selection process, then the appointment of the petitioner shall not be withheld only on the ground that the validity proceedings are pending. In that case, the respondent can issue provisional appointment order to the petitioner subject to the decision of the Committee in validation proceedings.

(iii) Writ petition is accordingly disposed of. No costs.

[R.N. LADDHA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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