

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

39 WRIT PETITION NO.10277 OF 2021

BHIMESHWAR GANGADHAR PUPALWAD .. Petitioner
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS ..Respondents

...
Mr Madhur A. Golegaonkar, Advocate for the Petitioner
Mr S.P. Tiwari, AGP for the Respondents – State
...

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

DATE : 20-09-2021

PER COURT : -

1. The learned Counsel for the petitioner 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 2019. 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. The learned AGP accepts notice for all the Respondents.
3. To get the proceeding decided within the stipulated period is not in the hands of the litigant.
4. The petitioner shall appear before Respondent No.2 /

Committee on 07-10-2021. The Scrutiny Committee shall endeavour to decide the said proceeding within six months on its own merits.

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

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

7. The employer may take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceeding.

8. The writ petition is disposed of. No costs.

[R.N. LADDHA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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