

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

WRIT PETITION NO. 11248 OF 2021

Ramesh Dhanraj Naik .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Pratap V. Jadhavar, Advocate for the Petitioner.

Shri S. B. Pulkundwar, A.G.P. for Respondent Nos. 1 and 2

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

DATE : 11TH OCTOBER, 2021.

FINAL ORDER :

. The learned counsel submits that petitioner is appointed as Gram Sevak. The petitioner has completed three years of service. The petitioner is entitled to be granted pay scale of regular Gram Sevak. Only on the ground that validity certificate is not submitted, the respondents are not considering petitioner for regularization.

2. The learned Assistant Government Pleader on instructions submits that vigilance is pending.

3. Unless vigilance is completed, petitioner may not have much role to play in the validation proceeding.

4. In light of that, we pass the following order:

ORDER

a. The petitioner shall appear before the Scrutiny Committee on 02.11.2021.

b. The Committee shall endeavour to decide the validation proceeding within a period of six (06) months from the date of appearance of petitioner. The petitioner shall co-operate in expeditious disposal of validation proceeding before the Committee.

c. The respondents shall take decision upon the claim of petitioner for salary of regular Gram Sevak on its own merits.

d. The petitioner will have to show that, he has completed three years satisfactory services and the availability of the post.

e. The claim of petitioner for pay scale as may be prescribed shall not be rejected only on the ground that validation proceeding is still pending.

f. The respondents may take further course of action depending upon the judgment that would be delivered by the Committee in the validation proceeding and whatever decision would be taken by the Authority about the claim of petitioner, the same would be provisional and subject to the decision delivered by the Scrutiny Committee in the validation

proceeding.

5. Writ Petition is disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

bsb/Oct.21