

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

1363 WRIT PETITION NO.8702 OF 2020

Smt. MANISHA PANDURANG WAGARE
VERSUS
STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioners : Mr Ramchandra K. Mendadkar
AGP for Respondents State: Mr. S. G. Karlekar

CORAM	:	S. V. GANGAPURWALA & SHRIKANT D. KULKARNI, JJ.
DATE	:	16 th February, 2021.

ORDER:

1. Mr Mendadkar, the learned counsel submits that validation proceeding in respect of caste claim of the petitioner is pending with the Scrutiny Committee. The same is not yet decided.
2. Without issuing notices to petitioners, the respondents have placed petitioner on the supernumerary post.
3. To get the validation proceeded within a particular time is not in the hands of litigant. The learned counsel submits that vigilance has been conducted but the copy of the vigilance report is not served upon the petitioner.
4. In light of that we pass the following order.

O R D E R

- i. The petitioner shall appear before the Committee on 04.03.2021 and obtain copy of the vigilance report. The committee shall thereafter decide the validation proceeding preferably within a

period of six months.

- ii. The petitioner shall cooperate in expeditious disposal of the proceeding before the committee.
 - iii. The impugned order is quashed and set aside.
 - iv. In case, respondents want to take action against petitioner similar to the one under the impugned order, then the employer shall follow the principles of natural justice.
5. Writ Petition accordingly disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V.GANGAPURWALA, J.)

JPC