

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

29 WRIT PETITION NO.12631 OF 2021

SHIVAJI BABURAO MANKOLI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner:
Mr. G. K. Chinchole h/f. Mr. Vibhute Sunil M.
AGP for Respondents/State: Mr. P. S. Patil

...

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

DATE: 22nd NOVEMBER, 2021

PER COURT:

1. The learned Counsel for the Petitioner submits that in the present matter validation proceeding is pending. The employer has issued show cause notice to the Petitioner to produce validity certificate, else adverse action would be taken and the Petitioner would be placed on supernumerary post.

2. The learned A.G.P. accepts notice for the Respondents/State.

3. Considering the fact that the validation proceeding is pending with the Committee, we pass the following order-

ORDER

The Petitioner shall appear before the Committee on 09.12.2021. The Respondent / Committee shall endeavour to decide the validation proceeding on it's own merits, in accordance with law, expeditiously and preferably within a period of six (06) months from the date of appearance of the Petitioner. The Petitioner shall co-operate in expeditious disposal of the proceeding. The impugned order is quashed and set aside. The employer may not take adverse action against the Petitioner only on the ground that the validation proceedings is pending. Of course, the employer may take further course of action depending upon the Judgment that may be delivered in the validation proceeding.

4. In light of the above, the Writ Petition is disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

marathe