

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

922 WRIT PETITION NO.12787 OF 2021

HANMANT S/O UTTAM NAGARWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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

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

DATE : 23rd November, 2021.

P.C.:

The learned counsel for the petitioner submits that, in the present matter validation proceedings are pending. The employer has issued show cause notice to the petitioner to produce validity certificate, else adverse action would be taken and petitioner would be placed on supernumerary posts.

2. The learned Assistant Government Pleader accepts notice for respondents/State.

3. Considering the fact that, the validation proceedings are pending with the Committee, we pass following order :-

ORDER

- I. The petitioner shall appear before the Committee on 8th December, 2021 and shall file reply to the vigilance cell

report as it is contended by the learned AGP that the vigilance cell report is already served upon the petitioner.

- II. The Committee shall thereafter, decide the proceedings within three months from the date of appearance of the petitioner.
- III. The petitioner shall cooperate in expeditious disposal of the proceedings.
- IV. The impugned order is quashed and set aside.
- V. The employer may not take adverse action against the petitioner only on the ground that the validation proceeding is pending.
- VI. The employer may take further course of action depending upon the judgment that would be delivered by the Committee in validation proceeding.
- VII. The writ petition is disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]