

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

962 WRIT PETITION NO.12965 OF 2021

JAYA D/O DHONDIBA KONKEWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Sunil M. Vibhute.

AGP for Respondent/State: Mr. S. P. Tiwari.
...

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

DATE : 25th November, 2021.

P.C.:

. The learned counsel submits that the validation proceeding in respect of the caste claim of the petitioner is invalidated. The petitioner was issued with notice as to why she should not be placed on supernumerary post. The petitioner filed Writ Petition (Stamp) No.9714 of 2020. This Court set aside the show cause notice under order dated 19th June, 2020. Now the employer has issued notice directing the petitioner to submit validity or else the petitioner will be placed on supernumerary post.

2 The learned AGP accepts notice for respondent Nos.1 and 2.

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

ORDER

The petitioner shall appear before the Committee on 9th December, 2021. The respondent-Committee shall endeavour to decide the validation proceedings on its 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 proceedings. 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 are pending. Of course, the employer may take further course of action depending upon the judgment that may be delivered in the validation proceedings.

4 In light of the above, the writ petition is disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

nga