

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

966 WRIT PETITION NO.3103 OF 2022

RAMDAS SAMPAT SURADKAR

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner: Mr. Jadhavar Pratap V.

AGP for Respondents: Mr. S. K. Tambe

...

**CORAM: S. V. GANGAPURWALA &
S. G. DIGE, JJ.**

DATE: 09th MARCH, 2022

PER COURT:

1. The learned Counsel submits that the Petitioner is appointed as Assistant Teacher on fixed salary. The Petitioner had completed three years of service. The Petitioner is entitled to be granted pay scale of Assistant Teacher. Only on the ground that validity certificate is not submitted, the Respondents are not considering the Petitioner for regularization.

2. We have heard the learned A.G.P.

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

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

ORDER

[I] The Petitioner shall appear before the Scrutiny Committee on 07.04.2022.

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

[III] The Respondents shall take decision upon the claim of the Petitioner for salary of Assistant Teacher as per pay scale on it's own merits.

[IV] The Petitioner will have to show that, he has completed three years satisfactory services and the availability of the post.

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

[VI] 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 the Petitioner, the same would be provisional and subject to the decision delivered by the Scrutiny Committee in the validation proceeding.

5. In view of the above, the Writ Petition is disposed of. No costs.

[S. G. DIGE, J.]

[S. V. GANGAPURWALA, J.]

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