

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.13202 OF 2022
(Shaikh Anis Shaikh Gani Mansuri Vs. The State of Maharashtra
Through its Secretary and others)

Mr.S.N.Pawde h/f Mr.M.K.Bhosale and Mr.G.B.Pimpale, Advocate for the petitioner.

Mr.V.M.Kagne, AGP for respondent No.1.

Mr.A.M.Gaikwad, Advocate for respondent Nos. 2 to 4.

(CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.)

DATE : JANUARY 12, 2023

PER COURT :

1. The petitioner is before this Court as against the impugned notices dated 26.07.2022 and 30.08.2022, by which a disciplinary proceeding has been initiated against him. The Grievance before this Court is that the disciplinary proceedings to the extent of the failure on the part of the petitioner in tendering the validity certificate should not be proceeded with as he has already produced the validity certificate, which is received by the Management.

2. The learned Advocate for the petitioner submits that the validity certificate received by the petitioner, upholding his claim of belonging

to the "Pinjara (177)" OBC category, has been validated vide order dated 28.11.2022.

3. In view of the above, this petition is disposed off with a direction to the employer to consider the fact that the petitioner's claim has been validated. On this count, the departmental enquiry need not proceed. Needless to state, if there is any other charge against the petitioner, which is not addressed to this Court in this petition, we leave it to the employer to adopt an appropriate legal procedure.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)