

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD  
987 WRIT PETITION NO.431 OF 2020**

SHARAD PANDHARINATH SAPKALE ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Sushant C. Yeramwar, Advocate for the  
Petitioner.

Mr. S. P. Tiwari, AGP for Respondents-State.

...

**CORAM : S. V. GANGAPURWALA &  
MANGESH S. PATIL, JJ.**

**DATED : 08<sup>th</sup> JANUARY, 2020.**

**PER COURT:-**

1. It submitted that validation proceeding in respect of the tribe claim of petitioner is pending with the scrutiny committee, the same is not decided.

2. Without issuing notice to petitioner, the respondents have placed petitioner on the supernumerary post.

3. As the impugned action is without notice to the petitioner, we quashed and set aside the impugned action.

4. In case, respondents want to take action against the petitioner of placing the petitioner on supernumerary post or otherwise, then notice shall be issued to the petitioner giving opportunity to

show cause. In that event, the petitioner can file reply and bring all the relevant facts to the notice of the respondent-Committee.

5. The Committee shall decide the validation proceedings expeditiously and preferably within a period of three months.

6. The petitioner shall appear before the Committee on 21.01.2020.

7. Writ Petition accordingly disposed of. No costs.

**(MANGESH S. PATIL)**  
**JUDGE**

**(S. V. GANGAPURWALA)**  
**JUDGE**