

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

914 WRIT PETITION NO.312 OF 2020

DEVENDRA DINKAR KUNTE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

WITH

929 WRIT PETITION NO.365 OF 2020

HANMANT UTTAM NAGARWAD

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Sunil M. Vibhute, Advocate for the Petitioners
in both Writ Petitions.

Mr. S. G. Karlekar, AGP for Respondents-State.

...

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

DATED : 08th JANUARY, 2020.

PER COURT:-

1. It submitted that validation proceedings in respect of the tribe claim of petitioners are pending with the scrutiny committee, the same are not decided.

2. Without issuing notices to petitioners, the respondents have placed petitioners on the supernumerary posts. In Writ Petition No.312/2020 the proposal has been submitted for the validation to the Committee on 16.09.2013, well within the

time as contemplated under the Circular dated 30.07.2013.

3. As the impugned action is without notice to petitioners, we quash and set aside the impugned action.

4. In case, respondents want to take action against petitioners of placing petitioners on supernumerary posts or otherwise, then notice shall be issued to petitioners giving opportunity to show cause. In that event, petitioners 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 in Writ Petition No.312/2020 and within six months in Writ Petition No.365/2020.

6. The petitioners shall appear before the Committee on 27.01.2020.

7. Writ Petitions accordingly disposed of.
No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE