

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.663 OF 2020
(Rameshwar Uttamrao Tekale Vs. The State of Maharashtra and others)

Mr. Sagar S. Phatale, Advocate for the petitioner
Mr. S.B. Pulkundwar, A.G.P. for the respondent/State

CORAM : S.V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.

DATE : 13.01.2020

PER COURT :

It is submitted that validation proceeding in respect of the tribe claim of the petitioner is pending with the Scrutiny Committee. The same is not decided.

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

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

4. In case the respondents want to take action against the petitioner of placing him on supernumerary post or otherwise, then notice shall be issued to the petitioner giving him an opportunity to show cause. In that event, the petitioner can file reply and bring all the relevant facts to the notice of the respondent – Scrutiny Committee.

5. The Scrutiny Committee shall decide the validation proceedings expeditiously and preferably within a period of six months from the date of appearance of the petitioner before it.

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

7. Writ Petition is accordingly disposed of. No costs.

[MANGESH S. PATIL]
JUDGE

[S.V. GANGAPURWALA]
JUDGE

npj/wp663-2020