

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

59 WRIT PETITION NO.1764 OF 2020

SHITAL RATILAL GAWLE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Vishnu Y. Patil, Advocate for the Petitioner.

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

...

**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATED : 27th JANUARY, 2020.

PER COURT:-

1. Leave to add scrutiny committee as a party. The learned A.G.P. waives service of notice for the added party.

2. 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.

3. Without issuing notice to the petitioner, respondent no. 2 has placed the petitioner on the supernumerary post.

4. As the impugned order is without notice to the petitioner, we quash and set aside the impugned order.

5. In case, the respondent wants 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 committee.

6. The committee shall decide the validation proceeding expeditiously and preferably within a period of three (03) months.

7. The petitioner shall appear before the committee on 10.02.2020.

8. Writ Petition accordingly stands disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE