

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

WRIT PETITION NO.2097 OF 2020

Nandkishor s/o Nana Jagtap

.. Petitioner

Versus

The State of Maharashtra
Tribal Development Department,
Mantralaya, Mumbai through its
Secretary and ors.

.. Respondents

Mr S.C. Yeramwar, Advocate for petitioner
Mr S.G. Karlekar, A.G.P. for respondent-State

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

DATE : 3.2.2020

ORAL ORDER :

1. It is 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 quash 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 12.2.2020.
7. Writ Petition accordingly disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)

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