

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

7 WRIT PETITION NO.2117 OF 2020

MURALIDHAR KHOBRAJI WAGHMARE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...
Mr. Kalyan Patil h/f Mr. Omgashad B. Boinwad,
Advocate for the Petitioner.

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

...

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

DATED : 04th FEBRUARY, 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 notices to petitioner, the respondents have placed petitioner on the supernumerary posts. The proposal is submitted for the validation to the Committee, well within the time as contemplated under the Circular dated 30.07.2013.

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

4. In case, respondents want to take action against petitioner of placing petitioner on supernumerary posts or otherwise, then notice shall be issued to petitioner giving opportunity to show cause. In that event, 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 within six months.

6. The petitioner shall appear before the Committee on 10.02.2020.

7. Writ Petition accordingly disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE