

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

WRIT PETITION NO. 3137 OF 2020

Rohit Dilip Mudiraj

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Omgashad B. Boinwad, Advocate for the Petitioner.

Shri S. G. Karlekar, A.G.P. for Respondent Nos. 1 to 3.

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

DATE : 25TH FEBRURY 2020.

FINAL ORDER :

. 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 (06) months from the date of appearance of the petitioner.

6. The petitioner shall appear before the Committee on 16.03.2020.

7. In the light of the above, the writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

bsb/Feb. 20