

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

980 WRIT PETITION NO. 3371 OF 2020

**YOGESHWAR ARUN THAKUR
VERSUS
STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner : Mr. Shinde Digambar B.
AGP for Respondents / State : Mrs. V. S. Chaudhary

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

DATE: 27th FEBRUARY, 2020

PER COURT:

1. The learned counsel submits that validation proceeding in respect of the tribe claim of the petitioner is pending since the year-2013.

2. Without issuing notice to the petitioner and without hearing the petitioner, the petitioner has been placed on supernumerary post only on the ground that validity certificate is not submitted.

3. The learned Assistant Government Pleader submits that the validation proceeding is pending at the stage of vigilance.

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

5. In case the respondent wants to initiate any action against the petitioner, the respondent shall issue notice to the petitioner obtaining his say and then only take decision.

6. The petitioner shall appear before the scrutiny committee on 09.03.2020. The scrutiny committee shall decide the validation proceeding preferably within a period of eight (08) months.

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

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

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