

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

37 WRIT PETITION NO.3486 OF 2020

AMBIKA BAPUJI PITLEWAD
VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioner :Mr Boinwad Omgashad B.

AGP for Respondents State: Mrs V S Choudhary

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

DATE : 3rd March, 2020

ORDER:

1. It submitted that validation proceeding in respect of the tribe claim of petitioner is pending with the scrutiny committee, the same are not decided.
2. Without issuing notices to petitioners, the respondents have placed petitioner on the supernumerary post. The proposal is submitted for validation to the Committee, well within the time as contemplated under Circular date 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 post 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 16.03.2020.
7. Writ Petition accordingly disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V.GANGAPURWALA, J.)