

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

WRIT PETITION NO.3649 OF 2020

Kisan s/o Bhanudas Kanthe

.. Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

Mr O.B. Boinwad, Advocate for petitioner

Mr S.G. Karlekar, A.G.P. for respondent-State

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

DATE : 5th March 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 notices to petitioner, the respondents have placed petitioner on the supernumerary post. The proposal is submitted for the validation to the Committee, well within the time as contemplated under the Circular dated 30.7.2013.

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 the 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 from the date of appearance of the petitioner.
6. The petitioner shall appear before the Committee on 16.03.2020.
7. In light of above, the Writ Petition is disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)

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