

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

WRIT PETITION NO.3679 OF 2020

Rahul Baliram Boinwad

.. Petitioner

Versus

The State of Maharashtra and ors.

.. Respondents

Mr Anandsingh Bayas, Advocate for petitioner

Mrs M.A. Deshpande, Addl.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 proceedings in respect of the tribe claim of the petitioner is pending with the Scrutiny Committee. The same is not yet decided.
2. The learned Counsel for the petitioner submits that without issuing notice to the petitioner, the respondents have placed the petitioner on the supernumerary post. The proposal has been submitted for the validation to the Committee in the year 2017.
3. As the impugned action is without notice to the petitioner, we quash and set aside the impugned order.
4. In case the respondents want to take action against the petitioner of placing the petitioner on supernumerary post or otherwise, then notice shall be issued to the petitioner of giving opportunity to show cause. In that event, the 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 six months from the date of appearance of the petitioner. The petitioner shall appear before the Committee on 16.03.2020.

6. In view of above, Writ Petition is disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)

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