

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

WRIT PETITION STAMP NO. 10757 OF 2020

Vishwanath S/o Vilas Sunkawar .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Chandrakant R. Thorat, Advocate for the Petitioner.
Mrs. M. A. Deshpande, Addl.G.P. for Respondents/State.

**CORAM : S. V. GANGAPURWALA AND
R. G. AVACHAT, JJ.**

DATE : 19TH JUNE, 2020.

FINAL ORDER :

. 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. It is further submitted by the learned counsel for the petitioner that, without issuing notice to the petitioner and without hearing the petitioner, the respondents have placed the petitioner on supernumerary post.

3. As the impugned action is without notice to the petitioner and without hearing the petitioner, we quash and set aside the impugned action.

4. In case, 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 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 respondent No. 2/Committee shall decide the validation proceedings in respect of the tribe claim of the petitioner expeditiously and preferably within a period of nine (09) months from the date of receipt of this order. The petitioner shall co-operate in expeditious disposal of the proceedings.

6. The petitioner shall appear before the Committee on 17th July, 2020.

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

[R. G. AVACHAT, J.]

[S. V. GANGAPURWALA, J.]

bsb/June20