

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

WRIT PETITION (ST) NO. 11993 OF 2020

Gajanan Khandu Chintale

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....

Mr. O.B. Boinwad, Advocate for petitioner

Mr. S.R. Yadav Lonikar, A.G.P. for respondent – State

....

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

DATE : 20th JULY, 2020

ORDER :

It is submitted that validation proceeding in respect of the tribe claim of the petitioner is pending with the scrutiny committee, the same is not decided.

2. Without issuing notice to the petitioner, 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 dated 30th July, 2013..

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

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 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.

6. The petitioner shall appear before the committee on 11th August, 2020.

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

(R.G. AVACHAT, J.)
SSD

(S.V. GANGAPURWALA, J.)