

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

WRIT PETITION STAMP NO. 12984 OF 2020

Udhhav Trambakrao Nagzare

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. O. B. Boinwad, Advocate for the Petitioner.

Mr. S. S. Dande, AGP for Respondents/State.

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

DATED : 10th AUGUST, 2020.

PER COURT:-

. 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 the petitioner on the supernumerary post. The proposal is submitted for validation to the committee, well within the time as contemplated under circular dated 30.07.2013.

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

4. In case, respondents want to take action against the 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, 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 proceeding expeditiously and preferably within a period of six (06) months.
6. The petitioner shall appear before the committee on 22.09.2020.
7. Writ petition accordingly is disposed of. No costs.

(R. G. AVACHAT)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.