

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

56 WRIT PETITION NO. 7200 OF 2020

**NILESH PRAKASH THAKUR
VERSUS
STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner: Mr. Digambar B Shinde
AGP for Respondents/State: Mrs. V. S. Choudhary

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

DATE: 21st OCTOBER, 2020

PER COURT:

1. The learned Assistant Government Pleader accepts notice for respondents/State.

2. 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. Without issuing notice to the petitioner, the respondent has placed the petitioner on the supernumerary post.

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

4. In case, the respondent want to take action against the petitioner placing the petitioner on supernumerary post or otherwise, then notice shall be issued to the petitioner, calling upon him to show cause. In that event, the petitioner can file reply and bring all the relevant facts to the notice of the respondent.

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 23.11.2020, if the circumstances so permit.

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

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

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