IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

55 WRIT PETITION NO.7096 OF 2020

PRALHAD KISAN CHINCHALWAD
VERSUS
THE STATE OF MAHARASHTRA A
...
Advocate for Petitioner :Mr Omgashad B Boinwad
AGP for Respondents State : Mr S G Karlekar

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

DATE : 19th October, 2020

ORDER:

1. Heard learned counsel for the petitioner and learned A.G.P. for the 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.

3. 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.

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

5. In case, respondents wants 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, petitioner can file reply and bring all the relevant facts to the notice

of the respondent- committee.

6. The committee shall decide the validation proceeding expeditiously and preferably within a period of six months.

7. The petitioner shall appear before the committee on 02.11.2020.

8. Writ Petition stands disposed of. No costs.

(SHRIKANT D. KULKARNI, J.) (S.V.GANGAPURWALA, J.)

JPC