

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

WRIT PETITION NO. 7161 OF 2020

Sunita Balaji Mutke

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. Chandrakant R. Thorat, Advocate for the Petitioner.

Mr. S. K. Tambe, AGP for Respondents-State.

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

DATED : 21st OCTOBER, 2020.

PER COURT:-

. At the request of the learned counsel for the petitioner leave to correct nomenclature of respondent No. 2.

2. 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.

3. 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.

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

5. In case, respondents want to take action against the petitioner of placing the petitioner on supernumerary post of 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.

6. The respondent – 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.

7. The petitioner shall appear before the Committee on 23.11.2020.

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

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.