

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

WRIT PETITION NO. 7253 OF 2020

Raju S/o Namdevrao Ghate ... Petitioner.

Versus

The State of Maharashtra
and others ... Respondents.

....

Mr. Sagar S. Phatale, Advocate for the Petitioner.
Ms. V.S. Choudhari, A.G.P. for Respondent Nos.1 and 2.

....

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

DATE : 23rd OCTOBER, 2020

PER COURT:-

1. The learned counsel for the petitioner submits that the validation proceeding is pending. The employer has issued notice to the produce the validity certificate else adverse action would be taken.
2. Issue notice to respondents. The learned A.G.P. accepts notice for Respondent Nos.1 and 2.
3. 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.

4. Without issuing notice to the petitioners, the respondents have placed the petitioner on the supernumerary posts.
5. As the impugned order is without notice to the petitioner, we quash and set aside the impugned order.
6. In case the respondents want to take action against the petitioner placing the petitioner on supernumerary post or otherwise, then notice shall be issued to the petitioner giving to show cause. In that event, the petitioner can file reply and bring all the relevant facts to the notice of the respondent-committee.
7. The committee shall decide the validation proceedings expeditiously and preferably within a period of six (06) months.
8. The petitioner shall appear before the committee on 23.11.2020, if the circumstances so permit.
9. Writ Petitions are disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

S.P. Rane