

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

WRIT PETITION NO. 7871 OF 2020

Motiram Gangadhar Darmod	... Petitioner
Versus	
The State of Maharashtra and others	... Respondents
....	
Mr. C. R. Thorat, Advocate for petitioner	
Mr. K. N. Lokhande, AGP for respondents - State	
....	

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

DATED : 27th NOVEMBER, 2020

PER COURT :-

. 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.

2. 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.

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

4. In case, respondents want 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, the petitioner can file reply and bring all the relevant facts to the notice of the respondent – Committee.

5. The respondent No.5 – 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.

6. The petitioner shall appear before the Committee on 22nd December, 2020.

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

[R. G. AVACHAT, J.]

[S. V. GANGAPURWALA, J.]

SMS