

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

WRIT PETITION NO.7853 OF 2020

**NIKHIL RAMKRUSHAN WARDEKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

**AND
WRIT PETITION NO.7886 OF 2020**

**NIKHIL RAMKRUSHAN WARDEKAR
VERSUS
STATE OF MAHARASHTRA AND ORS.**

Mr.D.B.Shinde, Advocate for petitioners
Mr.K.N.Lokhande, AGP for respondents

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

DATE : NOVEMBER 27, 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 petitioners is pending with the scrutiny committee, the same is not decided. Without issuing notice to the petitioners, the respondent has placed the petitioners on the supernumerary post.

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

4. In case, the respondent want to take action against the petitioners placing the petitioners on supernumerary post or otherwise, then notice shall be issued to the petitioners, calling upon him to show cause. In that event, the petitioners 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 petitioners shall appear before the committee on 23.12.2020, if the circumstances so permit.

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

[R.G. AVACHAT, J.]
kbp

[S.V.GANGAPURWALA, J.]