

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

WRIT PETITION NO. 8471 OF 2020

Hemraj Nanabhau Ahire (Thakur)

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. M. V. Salunke, Advocate for the Petitioner.

Mr. P. S. Patil, Addl. G. P. for Respondents-State.

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

DATED : 21st DECEMBER, 2020.

PER COURT:-

. It is submitted that validation proceeding in respect of the tribe claim of petitioner is pending with the scrutiny committee, the same is not decided.

2. Without issuing notice to petitioner, the respondents have placed petitioner on the supernumerary post.

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

4. In case, respondents want to take action against petitioner of placing petitioner on surplus or otherwise, then notice shall be issued

to 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.

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

6. The petitioner shall appear before the committee on 04.01.2021.

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

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.