

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

996 WRIT PETITION NO.479 OF 2021

YOGESH NAMDEO BHOTKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioner : Mr Deepak D Choudhari And Ramesh B More
AGP for Respondents State: Mr. S. R. Yadav Lonikar

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

DATE : 13th January, 2021

ORDER:

1. The learned Assistant Government Pleader accepts notice for all the respondents.
2. It is submitted that the validation proceeding in respect of the tribe claim of petitioner is pending with the scrutiny committee, the same is not yet decided.
3. Without issuing notice to petitioner, the respondents have placed the petitioner on the supernumerary posts.
4. As the impugned order is without notices to the petitioner, we quash and set aside the impugned order.
5. In case, the 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 to show cause. In that event, the petitioners can file reply and bring all the relevant facts to the notice of the respondent- committee.

6. The committee shall decide the validation proceeding expeditiously and preferably within a period of nine (09) months from the date of appearance of the petitioners.
7. In case, the normal hearing commences, the petitioners shall appear before the committee on 08.02.2021.
8. In light of the above, writ petition is disposed of. No costs

(SHRIKANT D. KULKARNI, J.)

(S.V.GANGAPURWALA, J.)

JPC