

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

936 WRIT PETITION NO.1611 OF 2021

**KONDIBA PANDURANG PUNJARWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

**AND
937 WRIT PETITION NO.1612 OF 2021**

**SANTOSH JAYDEV KOLI
VERSUS
THE STATE OF MAHARASHTRA THR ITS SECRETARY AND
OTHERS**

...
Advocate for Petitioners : Mr. Boinwad Omgashad B.
AGP for Respondents-State : Mrs. P. V. Diggikar & Mr. P. K.
Lakhotiya.
...

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

DATE : 28th January, 2021

PER COURT :-

1. It is submitted that validation proceedings in respect of the tribe claim of the petitioners are pending with the scrutiny committee, the same is not decided.

2. Without issuing notice to the petitioners, the respondents have placed the petitioners on the supernumerary post. The proposal is submitted for validation to the committee, well within the time as

contemplated under circular dated 30.07.2013.

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

4. In case, respondents want to take action against the petitioners of placing the petitioners on supernumerary post or otherwise, then notice shall be issued to the petitioners giving opportunity to show cause. In that event, petitioners 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 petitioners shall appear before the committee on 15/02/2021.

7. Writ Petition stands disposed of. No costs.

(SHRIKANT D. KULKARNI, J.) (S. V. GANGAPURWALA, J.)

shp/-