

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

WRIT PETITION NO. 3877 OF 2021

Madhukar Anandrao Pitle

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri G. K. Chinchole, Advocate h/f Shri S. M. Vibhute, Advocate
for the Petitioner.

Shri K. N. Lokhande, A.G.P. for Respondent Nos. 1 to 4.

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

DATE : 02ND MARCH, 2021.

FINAL ORDER :

. Issue notice to respondents. The learned Assistant Government Pleader accepts notice for all respondents.

2. It is submitted that, validation proceeding in respect of the tribe claim of the petitioner is pending with the Scrutiny Committee, the same is not decided. Without issuing notice to the petitioner, the respondents have placed the petitioner on the supernumerary posts.

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

4. In case the respondents want to take action against the

petitioner placing the petitioner on supernumerary post or otherwise, then notice shall be issued to the petitioner, calling upon him 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 Committee shall decide the validation proceeding expeditiously and preferably within a period of six months from the date of appearance of the petitioner.

6. The petitioner shall appear before the Committee on 18.03.2021.

7. In the light of the above, the writ petitions are disposed of.
No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

bsb/March 21