

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3975 OF 2021

Chiranjeev s/o Nagesh Dalalwad

...Petitioner

Versus

The State of Maharashtra and others

...Respondents

Mr C.R. Thorat, Advocate for Petitioner

Mr A.R. Kale, AGP for Respondents-State

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

DATE : 3rd MARCH, 2021

PER COURT :

1. 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 yet decided.

2. It is further submitted by the learned counsel for the petitioner that, without issuing notice to the petitioner and without hearing the petitioner, the respondents have placed the petitioner on supernumerary post.

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

4. In case, 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 giving opportunity 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 respondent No. 2/Committee shall decide the validation proceeding in respect of the tribe claim of the petitioner expeditiously and preferably within a period of nine (09) months from the date of receipt of this order. The petitioner shall co-operate in expeditious disposal of the proceeding.

6. The petitioner shall appear before the Committee on 24th March, 2021.

7. In the light of the above, the writ petition accordingly is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S.V. GANGAPURWALA, J.]

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