

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

62 WRIT PETITION NO.4174 OF 2021

SANTOSH MADHAVRAO MUPADE

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

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Advocate for Petitioner:

Mr. S. M. Vibhute h/f. Mr. Chinchole Ghanshyam K.

AGP for Respondents/State: Mr. K. N. Lokhande

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

DATE: 08th MARCH, 2021

PER COURT:

1. The learned A.G.P. accepts notice for respondent – State.

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 post.

3. As the impugned order is passed without notice to the petitioner, 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 proceedings expeditiously and preferably within a period of six (06) months.

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

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

[SHRIKANT D. KULKARNI, J.]

[S. V. GANGAPURWALA, J.]

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