

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

985 WRIT PETITION NO.5699 OF 2021

MIR YUSUF ALI MIR MAZHAR ALI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner: Mr. Swami Mahesh C.
AGP for Respondents: Mr. S. B. Yawalkar

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

DATE: 01st APRIL, 2021

PER COURT:

1. Issue notice to respondents. The learned A.G.P. accepts notice for all the 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 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 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 (06) months from the date of appearance of the petitioner.

6. The petitioner shall appear before the committee on 19.04.2021.

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

[SHRIKANT D. KULKARNI, J.]

[S. V. GANGAPURWALA, J.]

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