

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

WRIT PETITION NO. 5360 OF 2021

Kanta D/o Kondiaba Rajiwad ... Petitioner.

Versus

The State of Maharashtra
and others ... Respondents.

....

Mr. C.K. Chinchole, Advocate for the Petitioner.
Mr. S.K. Tambe, A.G.P. for Respondents / State.

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

DATE : 25th MARCH, 2021

PER COURT:-

1. Issue notice to respondents. The learned A.G.P. accepts notice for all respondents.
2. It is submitted that, validation proceeding in respect of the tribe claims 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 petitioners on supernumerary posts 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 09.04.2021.

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

(SHRIKANT D. KULKARNI)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

S.P Rane