

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

WRIT PETITION NO. 6081 OF 2021

Amol Ashok Thakur

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. Mayur V. Salunke, Advocate for the Petitioner.

Mr. S. P. Tiwari, AGP for Respondents-State.

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

DATED : 08th April, 2021.

PER COURT:-

. It is submitted that validation proceeding in respect of the tribe claim of petitioner is pending with the scrutiny committee, the same is not decided.

2. Without issuing notice to the petitioner, the respondents have placed petitioner on the supernumerary post. In Writ Petition No. 312/2020 the proposal has been submitted for the validation to the Committee on 26.06.2013, well within the time as contemplated under the Circular dated 30.07.2013.

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

4. In case, respondents want to take action against petitioner of placing petitioner on surplus or otherwise, then notice shall be issued to petitioner giving opportunity to show cause. In that event, 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.

6. The petitioner shall appear before the Committee on 29.04.2021.

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

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.