

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

919 WRIT PETITION NO.6224 OF 2021

**DEVRAO SHANKARRAO PITHALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr. Sagar S. Phatale, Advocate for the petitioner
Mr. A. A. Jagatkar, AGP for the respondent/State

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

DATED : 23-04-2021

PER COURT :-

1. The learned AGP accepts notice for all respondents.
2. It is submitted that validation proceedings in respect of the tribe claim of the petitioner is pending with the scrutiny committee, the same is not decided.
3. Without issuing notice to the petitioner, the respondents have placed the petitioner on the supernumerary post.
4. As the impugned order is without notice to the petitioner, we quash and set aside the impugned order.

5. 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 giving to show cause. In that event, the petitioner can file reply and bring all the relevant facts to the notice of the respondent-committee.

6. The committee shall decide the validation proceeding expeditiously and preferably within a period of six (06) months.

7. The petitioner shall appear before the committee on 03/05/2021, if the circumstances so permit.

8. Writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE