

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

926 WRIT PETITION NO.6597 OF 2021

**REKHA RANGNATH SHINDE
VERSUS
STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner: Mr. Phadnis Narayan
AGP for Respondents: Mr. S. G. Karlekar

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**CORAM: S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATE: 16th JULY, 2021

PER COURT:

1. The learned Counsel for the petitioner submits that earlier this Court at Nagpur under order dated April 10, 2012 passed in Writ Petition No. 928 of 2012 directed the committee to decide the validation proceeding in a time bound manner. The learned Counsel, on instructions, submits that the proceeding is still pending and under the impugned communication the petitioner is placed on supernumerary post.

2. The learned A.G.P. accepts notice for all the respondents.

3. We accept statement of the learned Counsel for the petitioner that the validation proceeding is still pending with the committee.

4. The petitioner is placed on⁴ supernumerary post. The orders placing the petitioner on supernumerary post is issued without notice to the petitioner and without hearing the petitioner. The same is violative of principles of natural justice.

5. In the light of above, the impugned order is quashed and set aside. The respondent shall not take any further action pursuant to the impugned order, without issuing notice to the petitioner and without hearing the petitioner.

6. The Scrutiny Committee may endeavour to decide the validation proceeding expeditiously.

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

[R. N. LADDHA, J.]
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[S. V. GANGAPURWALA, J.]