

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.6732 OF 2021**

MOHSIN KHAN YASEEN KHAN PATHAN ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND ORS. ..RESPONDENTS

...

Mr. Sagar S. Phatale, Advocate for the Petitioner.
Mr. A. B. Chate, AGP for Respondents-State.

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**CORAM : S. V. GANGAPURWALA &
M. G. SEWLIKAR, JJ.**

DATED : 18th JUNE, 2021.

PER COURT:-

1. The learned A.G.P. accepts notice for all 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.

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 quashed 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 05.07.2021, if the circumstances so permit.

8. Writ Petition is disposed of. No costs.

(M. G. SEWLIKAR)
JUDGE

(S. V. GANGAPURWALA)
JUDGE