

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

149 WRIT PETITION NO.7839 OF 2021

RAMESHWAR VISHWAMBAR GUNDEWAD

.. Petitioner

VERSUS

**THE STATE OF MAHARASHTRA
THR ITS PRINCIPAL SECRETARY
AND OTHERS**

..Respondents

...

Advocate for Petitioner : Mr Chandrakant R. Thorat
Addl. G.P. for Respondents / State : Mr P.S. Patil

...

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

DATE : 19-07-2021

PER COURT : -

1. 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 yet decided.

2. It is further submitted by the learned Counsel for the petitioner that, without issuing notice to the petitioner and without hearing the petitioner, the respondents have laced the petitioner on supernumerary post.

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

4. In case, the respondents want to take action against the petitioner of placing the petitioner on supernumerary post or otherwise, then notice shall be issued to the petitioner giving opportunity 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 respondent / Committee shall decide the validation proceedings in respect of the tribe claim of the petitioner expeditiously and preferably within a period of nine months from the date of receipt of this order. The petitioner shall co-operate in expeditious disposal of the proceedings.

6. The petitioner shall appear before the Committee on 04-08-2021.

7. In light of the above, the Writ Petition is accordingly disposed of. No costs.

[R.N. LADDHA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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