

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

WRIT PETITION NO.8613 OF 2021

**SUNIL MOHANRAO TOTE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Mr. Pratap V. Jadhavar
AGP for Respondents : Mrs. V. N. Patil Jadhav
...

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

DATE : 09th AUGUST, 2021

PER COURT :

1. Heard learned counsel for the petitioner and the learned A.G.P. for respondents/State.
2. The petitioner has been placed on supernumerary post. The order 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.
3. In the light of the above, the impugned order is quashed and set aside. The respondents shall not take any further action pursuant to the impugned order, without issuing notice to the petitioner and without hearing the petitioner.
4. In view of the above, the writ petition is disposed of.
No costs.

5. The Scrutiny Committee may endeavour to decide the validation proceeding expeditiously and preferably within a period of six months from the date of appearance of the petitioner.

6. The petitioner shall appear before the Committee on 14-09-2021.

(R. N. LADDHA, J.)

(S. V. GANGAPURWALA, J.)