

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

WRIT PETITION NO. 7250 OF 2020

Santosh Himmatrao Koli

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. D. D. Choudhari, Advocate for the Petitioner.

Mr. P. S. Patil, Addl. G. P for Respondent Nos. 1 and 2.

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

DATED : 29th JANUARY, 2021.

PER COURT:-

. Though respondent No. 3 is served, none appears for respondent No. 3.

2. We have heard the learned counsel for the petitioner and the learned Addl. G. P for respondent Nos. 1 and 2.

3. It is submitted that the validation proceeding in respect of the tribe claim of petitioner is pending with the scrutiny committee, the same is not yet decided.

4. Without issuing notice to the petitioner, the respondents have placed the petitioner on the supernumerary post.

5. As the impugned order is without notice to the petitioner, we quash and set aside the impugned order.
6. 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 to show cause. In that event, the petitioner can file reply and bring all the relevant facts to the notice of the respondent-committee.
7. The committee shall decide the validation proceeding expeditiously and preferably within a period of nine (09) months from the date of appearance of the petitioner.
8. In case, the normal hearing commences, the petitioner shall appear before the committee on 25.02.2021.
9. In the light of the above, writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.