

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

54 WRIT PETITION NO.9890 OF 2021

RAJESH ANANTRAM DADEWAR

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner: Mr. Thorat Chandrakant R.

AGP for Respondents: Mr. P. K. Lakhotiya

...

AND

...

56 WRIT PETITION NO.9892 OF 2021

SHANKARRAO NAGORAO ISANKAR

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner: Mr. Thorat Chandrakant R.

AGP for Respondents: Mr. S. K. Tambe

...

CORAM: S. V. GANGAPURWALA &

R. N. LADDHA, JJ.

DATE: 06th SEPTEMBER, 2021

PER COURT:

1. It is submitted that validation proceedings in respect of the tribe claims of the petitioners are pending with the Scrutiny Committee. The same are not yet decided.

2. It is further submitted by the learned Advocate for the petitioners that, without issuing notice to the petitioners and without hearing the petitioners, the respondents have placed the petitioners on supernumerary posts.

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

4. In case, the respondents want to take action against the petitioners of placing the petitioners on supernumerary posts otherwise, then notice shall be issued to the petitioners giving opportunity to show cause. In that event, the petitioners can file reply and bring all the relevant facts to the notice of the respondent – Committee.

5. The Respondent / Scrutiny Committee shall decide the validation proceedings in respect of the tribe claims of the petitioners expeditiously and preferably within a period of nine (09) months from the date of receipt of this order. The petitioners shall co-operate in expeditious disposal of the proceedings.

6. The petitioners shall appear before the Committee on 30.09.2021.

7. In the light of above, the writ petitions are disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

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