

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

WRIT PETITION NO. 13125 OF 2021

Pundlik Vitthalrao Bhuttapale

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. A. B. Kharosekar, Advocate h/f Mr. O. B. Boinwad, Advocate for the Petitioner.

Mr. P. S. Patil, Addl. G. P. for Respondent Nos. 1 and 3.

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

DATED : 30th November, 2021.

PER COURT:-

. 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.

2. Without issuing notice to the petitioner, the respondents have placed the petitioner on the supernumerary post. The proposal is submitted for validation to the committee, well within the time as contemplated under circular dated 30.07.2013.

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

4. In case, respondents wants 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, petitioner can file reply and bring all the relevant facts to the notice of the respondent-committee.
5. The committee shall decide the validation proceeding expeditiously and preferably within a period of six months.
6. The petitioner shall appear before the committee on 20.12.2021.
7. Writ Petition stands disposed of. No costs

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.