

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.13407 OF 2021**

Prasad Suhas Gaikwad

..Petitioner

Versus

The State of Maharashtra and Others

..Respondents

...

Mr. Sushant C. Yeramwar, Advocate for the Petitioner.

Mr. P. S. Patil, AGP for Respondents-State.

...

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

DATED : 04th DECEMBER, 2021.

PER COURT:-

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

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

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

4. In case, 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 Committee shall decide the validation proceedings

expeditiously and preferably within a period of two months.

6. The petitioner shall appear before the Committee on 15.12.2021.

7. Writ Petition accordingly disposed of. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/December-2021