

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

WRIT PETITION NO. 13765 OF 2021

Shivshankar Madhavrao Kondre

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. G. K. Chinchole, Advocate h/f Mr. Sunil M. Vibhute, Advocate for the Petitioner.

Mr. P. S. Patil, Addl. G. P. for Respondent Nos. 1 to 5.

**CORAM : S. V. GANGAPURWALA &
S. G. DIGE, JJ.**

DATED : 09th DECEMBER, 2021.

PER COURT:-

- . Heard the learned counsel for the petitioner.
2. The learned Addl. G. P. accepts notice for all respondents.
3. The contention of the petitioner is that since the year 2013 the validation proceeding in respect of the tribe claim of the petitioner is pending with respondent No. 2. Under the impugned order, the petitioner is placed on supernumerary post. Without issuing notice to the petitioner and affording opportunity of hearing to the petitioner, the petitioner is placed on supernumerary post.

4. As the same is without adhering to the principles of natural justice, the impugned order is quashed and set aside.
5. The petitioner shall appear before the scrutiny committee on 22.12.2021. The committee shall thereafter decide the validation proceeding expeditiously and preferably within a period of six (06) months from the date of appearance of the petitioner.
6. The respondents may take further course of action depending upon the judgment that would be delivered by the committee in the validation proceeding.
7. Writ petition is disposed of. No costs.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.