

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
APPELLATE SIDE, BENCH AT AURANGABAD

917 WRIT PETITION NO.13584 OF 2021

PRAKASH RAMDAS GATHE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. S.C. Yeramwar
AGP for Respondents/State : Mr. P.S. Patil
...

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

DATE : 8TH DECEMBER, 2021

PER COURT :

. The learned counsel for the petitioner submits that verification proceeding in respect of the tribe claim was filed in the year 2016. The Committee disposed of the said proceeding on technical ground and directed the petitioner to obtain the Certificate in proper form and submit it for validation.

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 quash and set aside the impugned order.

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.

5. The Committee shall decide the validation proceedings expeditiously and preferably within a period of three months from the date of appearance of the petitioner.

6. The petitioner shall appear before the Committee on 21.12.2021.

7. Writ Petition accordingly disposed of. No costs.

(S.G. DIGE, J.)

(S.V. GANGAPURWALA, J.)

srm/8/12/21