

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

33 WRIT PETITION NO.550 OF 2022

ANIL RAJESING THAKUR

VERSUS

THE STATE OF MAHARASHTRA
AND OTHERS

...

Advocate for Petitioner : Mr M.L. Paithane h/f Mr M.A. Golegaonkar
AGP for Respondent No.1-State : Mr A.R. Kale

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, J.J.**

DATE : 17th JANUARY, 2022

PER COURT :

1. The present order ought not to have been passed in view of the earlier order passed by this Court dated 20.02.2020 in Writ Petition No. 2980 of 2020 filed by the present petitioner, similar notices were quashed and set aside. The same was quashed and set aside on the ground that the impugned order is without issuing show cause notice to the petitioner and without hearing the petitioner. The same mistake has been committed by the authority again.

2. In light of that, the impugned order is quashed and set aside. The respondents shall not place the petitioner on supernumerary post only on the ground that validation proceeding is pending. The employer may take further course of action depending upon the judgment that will be delivered by the committee in the validation proceeding.

3. The petitioner shall appear before the Committee on 14th February, 2022. The Committee shall thereafter decide the proceedings expeditiously and preferably on its own merits within a period of six months.

4. The writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S.V. GANGAPURWALA, J.]

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