

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

921 WRIT PETITION NO.2161 OF 2022

YADAV SAYANNA NILAPWAD
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

...
Advocate for the petitioner : Mr.M.A.Golegaonkar
AGP for Respondent-State : Mr.S.K.Tambe

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

DATE : 15.02.2022

P.C. :

1] At the request of the learned counsel for the petitioner, leave to amend respondent no.2.

2] It is submitted that validation proceedings in respect of the tribe claim of the petitioner is pending with the Scrutiny Committee, the same is not decided.

3] Without issuing notice to the petitioner, the respondents have placed the petitioner on supernumerary post. The proposal has been submitted for the validation to the Committee well within the time as contemplated under the Circular dated 30.07.2013.

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

5] In case, the respondents want to take action against the petitioner of placing 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.

6] The Committee shall decide the validation proceedings expeditiously and preferably within a period of three months.

7] The petitioner shall appear before the Committee on 24.02.2022.

8] Writ Petition accordingly disposed of. No costs.

[S.G.DIGE, J.]

[S.V.GANGAPURWALA, J.]

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