

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

931 WRIT PETITION NO. 4575 OF 2021

GANESH NARAYAN YEOTIWAD

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. A.S. Golegaonkar h/f

Mr. M.A. Golegaonkar

AGP for Respondents: Mr. P.K. Lakhotiya

...

**CORAM : RAVINDRA V. GHUGE &
S.G.DIGE, JJ.**

DATE : 20.04.2022

P.C. :

1. By this petition, the petitioner prays that the decision of the District Collector, dated 16-10-2020 declaring the post of the petitioner as being supernumerary, may be quashed and set aside as his claim belonging to 'Mannerwarlu' Scheduled Tribe is still pending and is not invalidated. He relies upon the order passed by this Court dated 30th November, 2021 in writ petition No. 13149 of 2021(Tushar Anil Thakur Versus the State of Maharashtra and others)

2. The grievance of the petitioner is that if the impugned order is not interfered with, he would be treated as being

appointed on a supernumerary post of clerk and his salary would be reduced since he would not be entitled for the prescribed pay-scale. His claim is pending since 2016.

3. In view of the above, this petition is partly allowed.

The impugned order dated 16-10-2020 is quashed and set aside. Consequentially, the unpaid salary of the petitioner shall be released within four weeks from today.

4. Respondent No. 3 – Competent Committee shall ensure that the pending claim of the petitioner is decided, as expeditiously as possible and in any case, on or before 15th September, 2022, failing which, the conduct of the Committee would be considered as being in violation of the directions of this Court. So also, the petitioner is directed to co-operate with the Committee and shall refrain from seeking adjournments on unreasonable or trivial grounds. If such adjournments are sought, the Committee shall proceed to the next stage of the proceedings.

(S.G.DIGE, J.)
mtk

(RAVINDRA V. GHUGE, J.)