

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

925 WRIT PETITION NO.6234 OF 2022

SITARAM UTTAM HIWALE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

.....
Mr. Pratap V. Jadhavar, Advocate for the petitioner
Mr. A. R. Kale, AGP for the respondents
.....

CORAM : RAVINDRA V. GHUGE
AND
ANIL L. PANSARE, JJ.

DATE : JUNE 21ST, 2022

PER COURT : -

1. The validation claim of the petitioner in relation to '*Koli Malhar*' tribe is pending before respondent no. 2 - competent committee. Respondent no. 3 has issued a notice dated 11.01.2022 to the petitioner to submit the validity certificate and at the same time has placed the petitioner on a supernumerary post. Neither a show-cause notice was issued to him nor a hearing was conducted before passing an order.

2. In view of the above, this petition is **disposed off** by quashing the order of respondent no. 3 dated 11.01.2022 with

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a further direction that the petitioner would continue to work on the regular post till his claim is decided.

3. Respondent no. 2 shall decide the claim of the petitioner as expeditiously as possible and in any case on or before 30.12.2022. The petitioner shall render wholehearted cooperation in the proceedings and shall refrain from seeking adjournments on unreasonable or trivial grounds. If this claim of the petitioner is not decided within the time frame, respondent no. 2 would approach this Court with a civil application seeking extension of time by assigning reasons as to why the proceedings could not be completed. We will then pass an order in the said circumstances after considering the conduct of the petitioner.

4. The petitioner shall appear before respondent no. 2 on 14.07.2022 at 02:00 p.m. and thereafter appear on each of the dates on which the proceedings are scheduled for hearing by the committee.

[ANIL L. PANSARE]
JUDGE

[RAVINDRA V. GHUGE]
JUDGE