

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

38 WRIT PETITION NO.7284 OF 2022

**VAIJENATH GANPATI BHOINWAD
VERSUS
THE STATE OF MAHARASHTRA TRIBAL DEVELOPMENT DEPARTMENT
THROUGH ITS SECRETARY AND OTHERS**

...
Advocate for Petitioner : Mr. O. B. Boinwad
AGP for Respondent nos. 1 to 3 : Mr. P.S. Patil
...

**CORAM : RAVINDRA V. GHUGE &
ARUN R. PEDNEKER, JJ.**

DATED : AUGUST 10, 2022.

PER COURT :

1. The petitioner has put forth prayer clause 'B' as under :-

B) By appropriate writ, order or direction in the like nature the impugned order dated 17.03.2022 issued by Resp. No. 2 thereby placing the petitioner on supernumerary post may kindly be quashed and set aside.

2. The petitioner's service is protected till 17.3.2023, as he would be continued on a supernumerary post, though the salary earned by him today is maintained.

3. The learned AGP representing respondent nos. 1 to 3 submits, on instructions, that the claim of the petitioner would be decided, on or before 31st January, 2023.

4. In view of the above, this petition is disposed off, with the following directions :-

(A) Respondent no. 2 shall not pass any further adverse

order against the petitioner and would continue him, subject to the decision by the Committee or till 31.1.2023, whichever is earlier.

- (B) Respondent no. 3 – Committee shall decide the claim of the petitioner, on or before 31st January, 2023.
- (C) The petitioner shall render wholehearted cooperation to the Committee and shall not seek an adjournment on unreasonable or trivial grounds. If this occurs, the Committee would be at liberty to proceed further to the next stage of the proceedings.

[ARUN R. PEDNEKER J.]

[RAVINDRA V. GHUGE, J.]

SSC/