

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

WRIT PETITION NO. 13038 OF 2021

Ramesh Vitthalrao Kumbhare .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Sushant C. yeramwar, Advocate for the Petitioner.
Shri P. S. Patil, Addl.G.P. for Respondent Nos. 1, 2 and 4.

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

DATE : 24TH FEBRUARY, 2022.

FINAL ORDER :

. It is submitted that validation proceeding in respect of the tribe claim of petitioner is pending with the scrutiny committee, the same is not decided.

2. Without issuing notice to petitioner, the respondents have placed the petitioner on supernumerary post.

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

4. In case, respondents want to take action against the petitioner of placing the petitioner on supernumerary post or otherwise, the 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.

5. The committee shall decide the validation proceeding expeditiously and preferably within a period of six (06) months from the date of appearance of the petitioner. The petitioner shall appear before the Committee on 22.03.2022.

6. In the light of the above, the writ petition is disposed of. No costs.

[S. G. DIGE, J.]

[S. V. GANGAPURWALA, J.]

bsb/Feb.22