

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

953 WRIT PETITION NO.6833 OF 2023

VIJAY RAMESH THAKUR
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS PRINCIPAL SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. Yeramwar Sushant C.
AGP for the respondent – State : Mr. P.S. Patil
...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 23 JUNE 2023

PC :

Heard both sides.

2. The validation proceedings of the petitioner as belonging to the scheduled tribe is pending with the scrutiny committee. In the meantime, he has been appointed in the Police department but by virtue of government resolution dated 21-12-2019 and by the impugned order dated 23-09-2022 he has been placed in supernumerary category.

3. Apparently, no opportunity of being heard was extended to the petitioner before passing the impugned order. It is quashed and set aside.

4. If at all the respondent no. 3 intends to put the petitioner in supernumerary category, the decision should be taken not without issuing notice to him.

5. The committee shall decide the petitioner's claim as expeditiously as possible and in any case within six months. The petitioner shall appear before the committee on 7 July 2023.

6. Writ petition is disposed of.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

arp/