

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

WRIT PETITION NO.7852 OF 2020

**SAINATH RANGRAO SHEMBETWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

**AND
WRIT PETITION NO.7860 OF 2020**

**MANGESH BHIMRAO JINKALWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

**AND
WRIT PETITION NO.7874 OF 2020**

**SUNIL RAGHUNATH MAMILWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr.O.B.Boinwad, Advocate for petitioners
Mr.K.N.Lokhand, AGP for respondents

**CORAM : S.V.GANGAPURWALA
AND
R.G. AVACHAT, JJ.**

DATE : NOVEMBER 27, 2020

PER COURT :-

1. It is submitted that validation proceeding in respect of the tribe claim of the petitioners are pending with the scrutiny committee, the same is not decided.
2. Without issuing notice to the petitioners, the respondents have placed the petitioners on the supernumerary post. The proposal is

submitted for validation to the committee, well within the time as contemplated under circular dated 30.07.2013.

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

4. In case, respondents want to take action against the petitioners of placing the petitioners on supernumerary post or otherwise, then notice shall be issued to the petitioners giving opportunity to show cause. In that event, petitioners 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 months.

6. The petitioners shall appear before the committee on 22.12.2020.

7. Writ Petition stands disposed of. No costs.

[R.G. AVACHAT, J.]
kbp

[S.V.GANGAPURWALA, J.]