

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

WRIT PETITION NO. 370 OF 2015

Digambar Anantrao Padalwar .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Sunil M. Vibhute, Advocate for the Petitioner.

Shri D. B. Bhange, A G. P. for Respondent Nos. 1 and 3.

Shri K. D. Bade Patil, Advocate for the Respondent No. 2.

**CORAM : S. V. GANGAPURWALA AND
V. L ACHLIYA, JJ.**

DATE : 13TH JANUARY, 2015.

PER COURT :

. Mr. Vibhute, the learned counsel submits that, the Committee has cancelled and confiscated the tribe certificate of the petitioner without hearing the petitioner and without notice to the petitioner.

2. Mr. Bade Patil, the learned counsel for the respondent No. 2/Committee submits that, in view of the fact that, the surname was not mentioned in the tribe certificate the Committee has rightly canceled the same.

3. It is trite that, when an order adverse to the interest of any

party is passed, the adherence to principles of natural justice is mandatory. In view of the above, the order passed by the respondent No. 2/Committee without notice to the petitioner and without hearing the petitioner cannot be sustained.

4. In the light of the above, the impugned order as such, is quashed and set aside. The respondent No. 2/Committee shall after hearing the petitioner pass an order afresh in respect of the said aspect. The petitioner shall appear before the Committee on 02.02.2015. It is made clear that, we have not considered the contentions raised by learned counsel for respective parties on merits. All contentions are kept open. The writ petition accordingly is disposed of. No costs.

[V. L ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]