

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

**WRIT PETITION NO.478 OF 2015
WITH
WRIT PETITION NO.479 OF 2015**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.S.M.Vibhute, advocate for the petitioners.
Mr.K.G.Patil, Addl. Govt.Pleader for the State.
Mr.A.B.Tele, advocate for Respondent NO.2 in
W.P.No.478/15
Mr.P.S.Patil, advocate for Respondent No.2 in
W.P.No.479/15.

**CORAM : S.V.GANGAPURWALA &
V.L.ACHLIYA, JJ.
Date : 14.01.2015.**

PER COURT :

1. Heard.
2. Mr.Vibhute, learned counsel submits that the tribe certificates have been cancelled on the ground that the certificates do not mention the surname, without hearing the petitioners and without notice to the petitioners. According to the learned counsel, the petitioners could have convinced the Committee about the certificates being legal and proper.
3. Mr.Tele and Mr.Patil, learned counsel submit that the Committee has rightly passed the order.

4. It is settled proposition of law that when an order prejudicial to the interest of any party is passed, the principles of *audi alteram partem* are required to be followed. In the present case, the impugned orders are passed without notice to the petitioners and without hearing to the petitioners. Such orders can not be sustained.

5. In light of the above, the impugned orders are quashed and set aside. The Respondent Committee shall after hearing the petitioners shall decide the said aspect. The petitioners shall appear before the Committee on 4.2.2015, before the Committee.

6. The Writ Petitions are accordingly disposed of. No costs.

(V . L . ACHLIYA, J .)

(S . V . GANGAPURWALA, J .)

Dt..14.01.2015.
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