

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

WRIT PETITION NO. 652 OF 2015

Madhav Tukaram Koliwad .. Petitioner

Versus

The State of Maharashtra and Others .. Respondents

Shri V. U. Jadhav, Advocate for the Petitioner

Shri D. B. Bhange, A. G. P. for the Respondent No. 1

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

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

DATE : 20TH JANUARY, 2015.

PER COURT :

1) The learned counsel for the petitioner 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 Committee states that, the facts on record are so explicitly clear that no other view is possible.

3) We have heard the learned A. G. P. also.

4) When an order adverse to the interest of any party is passed the adherence to the principle of natural justice is mandatory. In the present case the impugned order is passed without hearing the petitioner, such an order can not be sustained. In light of the above we pass the following order.

ORDER

The impugned order is quashed and set aside. The Committee shall after hearing the petitioner pass order afresh in respect of the said aspect. The petitioner shall appear before the Committee on 09th February, 2015. All contentions of respective parties kept open.

5) Writ petition disposed of. No costs.

[V. L. ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]