

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

WRIT PETITION NO.660 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 petitioner.
Mr.K.G.Patil, Addl. Govt. Pleader for the State.
Mr.P.S.Patil, advocate for Respondent No.2.

**CORAM : S.V.GANGAPURWALA &
V.L.ACHLIYA, JJ.**
Date : 20.01.2015.

PER COURT :

1. Heard.
2. Mr.Vibhute, learned counsel submits that the tribe certificate has been cancelled on the ground that the certificate does not mention the surname, without hearing the petitioner and without notice to the petitioner. According to the learned counsel, the petitioner could have convinced the Committee about the certificate being legal and proper.
3. 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 order is passed without notice to the petitioner and without hearing to the petitioner. Such order can not be sustained.

5. In light of the above, the impugned order is quashed and set aside. The Respondent Committee shall after hearing the petitioner shall decide the said aspect. The petitioner shall appear before the Committee on 9.2.2015.

6. The Writ Petition is accordingly disposed of. No costs.

(V . L . ACHLIYA, J .)

(S . V . GANGAPURWALA, J .)

Dt..20.01.2015.
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