

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 998 OF 2015

PANCHPHULA SUKHDEV SONWANE @ PANCHPHULA SINDHU
BHOTAKAR
VERSUS
SCHEDULED TRIBE CERTIFICATE SCRUTINY COMMITTEE,
AURANGABAD AND OTHERS

...

Advocate for Petitioner : Phatale Sagar S
AGP for Respondent State : Mr.S.B.Pulkundwar
Bade Patil K.D. For R/1

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

DATE : 28th January, 2015.

P.C. :

Mr. Phatale 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. 1/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. 1/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. 1/Committee shall after hearing the petitioner pass an order afresh in respect of the said aspect. The petitioner shall appear before the Committee on 12.02.2015. 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.

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