

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1011 OF 2015

BHASKAR TUKARAM SAPKAL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Jadhavar Pratap V.
AGP for Respondent State: Mr.K.J.Ghute Patil.
Mr.Y.K.Bobade h/f Mr.Tope Sambhaji S. For R/4
Mr.Tele Ashok B. For R/2

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

DATE : 28th January, 2015.

P.C. :

Mr. Jadhavar 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 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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