

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

WRIT PETITION NO. 1647 OF 2015

Laxmikant Narayanrao Bhimale .. Petitioner

Versus

The State of Maharashtra and Others .. Respondents

Shri P. V. Jadhavar, Advocate for the Petitioner

Smt. Y. M. Kshirsagar, A. G. P. for the Respondent State

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

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

DATE : 12TH FEBRUARY, 2015.

PER COURT :

1) Mr. Jadhavar the learned counsel submits that, his Tribe certificate belonging to 'Koli Mahadev' 'Scheduled Tribe' has been cancelled and confiscated without hearing.

2) Mr. Bade Patil the learned counsel submits that, the facts on record are so crystal clear that no other view was possible.

3) When an order adverse to the interest of any party is passed, the principles of natural justice are required to be adhered. In the present case the impugned order is without notice to the petitioner and without hearing the petitioner, such an order cannot be sustained.

4) In light of the above the impugned order is quashed and set aside. The parties are relegated before the Committee. The Committee shall after hearing the petitioner decide about the said aspect afresh. The petitioner shall appear before the Committee on 04th March, 2015.

5) Writ Petition is accordingly disposed of. No costs.

[V. L. ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]