

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO. 1964 OF 2015

GANESH NANDKISHOR ANTARAP
VERSUS
STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Vibhute Sunil M.
AGP for Respondents-State: Mr. P. N. Mule
Advocate for respondent No.2: Mr. P. S. Patil

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**CORAM : S. V. GANGAPURWALA &
V.K. JADHAV, JJ.**

DATE : 20th February, 2015

PER COURT :

1. Mr. Vibhute, the learned counsel for the petitioner submits that the tribe certificate is cancelled and confiscated without hearing the petitioner and without notice to the petitioner. Mr. Patil, the learned counsel for the Committee states that the documents on record were so explicitly clear that no other view was possible and the committee has rightly passed the order.

2. Whenever an order prejudicial to the interest of any party is passed, principles of natural justice are required to be adhered. In the present case, the order is passed without notice to the petitioner and without hearing the petitioner. Such order cannot be sustained. In the light of that, the impugned order is quashed and set aside. The committee shall, after hearing the petitioner, decide the said aspect afresh. The petitioner shall appear before the committee on 10th March, 2015.

3. Writ petition is accordingly disposed of. No costs.

(V.K. JADHAV, J.)**(S. V. GANGAPURWALA, J.)**

JPC