

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

WRIT PETITION NO. 5222 OF 2015

Omprakash S/o Narsayya Shrilele .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Suresh M. Kulkarni, Advocate for the Petitioner.
Shri S. A. Ambad, A.G.P. for Respondent Nos. 1 and 3.
Shri Pravin S. Patil, Advocate for the Respondent No. 2.

**CORAM : S. V. GANGAPURWALA AND
A. I. S. CHEEMA, JJ.**

DATE : 07TH MAY, 2015.

PER COURT :

. Mr. Kulkarni, the learned counsel submits that, at no material point of time notice of hearing was served upon the petitioner by the Committee. According to the learned counsel, the petitioner's first cousin has been granted caste certificate, so also the wife.

2. The learned Assistant Government Pleader states that, on number of occasions notices were issued to the petitioner, but the petitioner remained absent. According to the learned counsel for the petitioner, the notices were issued at Narsi Namdev and the petitioner resides at Golandaj Galli Gadipura, Hingoli.

3. We are not entering into the debate as to whether notices were issued on right address or not. As the petitioner was not served with the notice, we are inclined to grant one more opportunity to the petitioner to put forth his case.

4. In the light of the above, we pass the following order.

5. The impugned order passed by the Committee is quashed and set aside. The petitioner is relegated before the Committee for getting appeal decided afresh. The petitioner shall appear before the Committee on 25.05.2015. On appearance of the petitioner, the Committee shall decide the appeal within two months. The writ petition accordingly disposed of. No costs.

[A. I. S. CHEEMA, J.]

[S. V. GANGAPURWALA, J.]

bsb/May 15