

1. Mr. Bhosale the learned counsel for the petitioner submits that, the validation proceedings in respect of the caste claim of the petitioner is rejected without hearing and without notice to the petitioner, keeping the merits of the claim open. According to the learned counsel if notice would have been issued to the petitioner, petitioner would have been in a position to convince the Committee with regard to the aspect of jurisdiction. Mr. Bade Patil the learned counsel for the Committee submits

that, facts on record are so explicitly clear that no other view was possible.

2. We have perused the judgment of the Committee. It is not disputed that, before rejecting the validation proceedings on the ground of jurisdiction the petitioner was not heard nor any notice was issued to the petitioner. It is fundamental and cardinal principle of jurisprudence that whenever an order adverse to the interest of any party is passed the salutary principles of natural justice are required to be adhered. As the impugned judgment is in transgression of the principles of natural justice, the impugned order cannot be sustained.

3. In light of the above, we pass the following order -

ORDER

A] The impugned order passed by the Committee is quashed and set aside.

B] The petitioner is relegated before the Committee. The Committee shall after hearing the petitioner decide about the said aspect afresh.

C] The petitioner shall appear before the Committee on 08th June, 2015.

D] The Committee shall decide the said proceedings expeditiously, preferably within six (6) months.

4. Writ Petition is accordingly disposed of with aforesaid observations and directions. No costs.

5. In view of disposal of writ petition civil application also stand disposed of.

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

[S. V. GANGAPURWALA, J.]

sam/April. 15