

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5783 OF 2015

Seema Diliprao Kurewad

Versus

The State of Maharashtra & others.

--

Mr. S.M. Vibhute, Advocate, for the petitioner
Mr. P.P. More, AGP for the respondent No.1
Mr. A.B. Tele, Advocate for respondent.

CORAM : A.V. NIRGUDE & A.M. BADAR, JJ.
DATE : 10TH JUNE 2015.

PER COURT:

1] Heard.

2] Perused the Rules. Admittedly, the impugned order is passed without hearing the petitioner or his representative. We have consistently taken a view that in case an adverse order is proposed to be passed against the applicant, principles of natural justice are required to be adhered to. Considering this, we pass the following order :-

[a] The impugned order passed by the respondent No.2 Committee cancelling and confiscating the tribe certificates of the petitioner are set aside. The matter is remanded back to the Committee.

[b] The petitioner shall appear before the respondent No.2 Committee on 30th June, 2015. Upon hearing the petitioner, the respondent Committee shall decide about the aspects on which the

impugned order was passed.

[c] All contentions of the respective parties are kept open. It is made clear that we have not dealt with the contentions on merits.

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

[A.M. BADAR]
JUDGE

[A.V. NIRGUDE]
JUDGE.

grt/-