

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

WRIT PETITION NO. 7373 OF 2015

Savita Parasram Perke

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Sunil M. Vibhute, Advocate for the Petitioner.

Shri S. S. Tope, A. G. P. for Respondent Nos. 1 and 3.

Shri A. B. Tele, Advocate for the Respondent No. 2.

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

DATE : 22ND JULY, 2015.

PER COURT :

. Mr. Vibhute, the learned counsel for the petitioner submits that, the tribe certificate of the petitioner has been cancelled and confiscated without hearing and without notice to the petitioner.

2. Mr. Tele, the learned counsel for the respondent No. 2 submits that, the facts on record were so explicitly clear that no other view was possible.

3. Whenever an order prejudicial and 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 passed without notice and without hearing the petitioner.

Such an order cannot be sustained.

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

5. The impugned order is quashed and set aside. The petitioner is relegated before the respondent No. 2/Committee. The Committee shall after hearing the petitioner decide the aspect of the matter. The petitioner shall appear before the Committee on 03.08.2015. The writ petition is accordingly disposed of. No costs.

[V. K. JADHAV, J.]

[S. V. GANGAPURWALA, J.]

bsb/July 15