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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9609/2014

Jumaid Ahemadkhan Manzoor Ahmadkhan.
...Petitioner..

Versus

The State of Maharashtra & others.
...Respondents...

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Smt.A.N. Ansari, Advocate for petitioner.
Shri K.G. Patil, AGP for respondent nos.1 & 3.
Srhi A.B. Tele, Advocate for respondent no.2.
Shri D.P. Bakshi, Advocate for respondent no.4.

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

DATE: 14.08.2015

ORDER :

- 1] Heard learned counsel for the parties.
- 2] The grievance of the petitioner is that the respondent no.2 – committee has canceled and confiscated the tribe certificate of the petitioner on the ground that the authority who has issued the certificate did not have the jurisdiction to do so. It is submitted that the said order is passed without notice to the petitioner and without hearing the petitioner.
- 3] Learned counsel for the respondent no.2 – committee

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states that the facts on record are so explicitly clear that no other view was possible. The committee has rightly passed the order.

4] We have also heard learned counsel for the respondent no.4 – employer.

5] It is settled proposition of law that whenever an order adverse to the interest of any party is passed, adherence to the principles of natural justice is mandatory. In the present case, the impugned order is passed without notice to the petitioner and without hearing the petitioner. Such an order cannot be sustained.

6] in the light of above, the impugned order is quashed and set aside. The parties are relegated before the respondent no.2 – committee. The petitioner shall appear before the respondent no.2 – committee on 8.9.2015. Upon hearing the petitioner, the committee shall decide the said aspect afresh. Writ petition is accordingly disposed of. No order as to costs.

(V.K. JADHAV, J.)

(S.V. GANGAPURWALA, J.)