

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.11712 OF 2014

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.S.R.Barlinge, advocate for the Petitioner.
 Mr.K.G.Patil, Addl.Govt. Pleader for the State.
 Mr.Bade Patil, advocate for Respondent No.2.

**CORAM : S.V.GANGAPURWALA &
 V.L.ACHLIYA, JJ.**
Date : 26.02.2015.

PER COURT :

1. Heard.
2. Learned counsel for the petitioner states that the Tribe Certificate of the petitioner as belonging to 'Koli Mahadeo' Scheduled Tribe has been cancelled without hearing the petitioner and without notice to the petitioner.
3. Mr.Bade Patil, learned counsel for the Committee submits that the documents on record are so explicitly clear that no other view is possible. When an order prejudicial to the interest of any party is passed, adherence to the principles of natural justice is mandatory. In the present case, the principles of audi alteram partem have been violated. Such an order can not be sustained.

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

- a) The impugned order is quashed and set aside. The Respondent Committee shall after hearing the petitioner decide about the said aspect afresh. The petitioner shall appear before the Committee on 12.3.2015.
- b) The Writ Petition is disposed of. No costs.

(V . L . ACHLIYA, J .)

(S . V . GANGAPURWALA, J .)

Dt..26.02.2015.
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