

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.11676 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.Anandsing Bayas, advocate for the petitioner.
Mr.P.N.Mule, Asstt. Govt. Pleader for the State.

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

Date : 02.02.2015.

PER COURT :

1. Heard.
2. Mr.Bayas, learned counsel submits that the caste certificate of the petitioner is cancelled and confiscated by the Committee without hearing the petitioner and without notice to the petitioner. Mr.Bade Patil, learned counsel for the Respondent-Committee submits that the facts on record were so crystal clear that no other view was possible.
3. It is settled proposition of law that whenever an order prejudicial to the interest of any party is being passed, the principles of *audi alteram partem* are required to be adhered. In the present case, the impugned order is passed without hearing the petitioner, such an order can not be sustained.
4. In light of the above, 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 16.2.2015.

5. The Writ Petition is accordingly disposed of. No costs.

(V . L . ACHLIYA, J .)

(S . V . GANGAPURWALA, J .)

Dt..02.02.2015.
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