

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO. 742 OF 2015

RAMESH MADHAVRAO REDYWAD

VERSUS

THE STATE OF MAHARSHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Godbole R. J.

AGP for Respondents-state: Mrs. S. D. Shelke

Advocate for Respondent No.2 : Mr. Pravin S. Patil

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**CORAM : S. V. GANGAPURWALA &
V. L. ACHLIYA , JJ.****DATE : 23rd January, 2015****PER COURT :**

1. Learned counsel for the petitioner submits that the tribe certificate of the petitioner as belonging to Mahadeo Koli- Scheduled Tribe is cancelled and confiscated without hearing the petitioner. Mr. Patil, the learned counsel for the Committee states that the documents on record are unambiguous and explicitly clear that no other view was possible and the committee has rightly passed the order.

2. Whenever an order prejudicial to the interest of any party is passed, principles of natural justice are required to be followed. In the present case, the order is passed without notice to the petitioner and without hearing the petitioner. Such order cannot be sustained. In the light of that, the impugned order is quashed and set aside. The committee shall, after hearing the petitioner, decide the said aspect afresh. The petitioner shall appear before the committee on 12th February, 2015.

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

(V. L. ACHLIYA, J.)**(S. V. GANGAPURWALA, J.)**

JPC