

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11817 OF 2017

Mehrunnisa Begum Muneeruddin .. **Petitioner**
Versus
The State of Maharashtra and others .. **Respondents**

Shri Pathan Hamzakhan I., Advocate for the Petitioner.
Shri P. S. Patil, Addl. G. P. for Respondents.

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.**

DATE : 6th March, 2018

PER COURT :

1. Learned advocate for the petitioner submits that the petitioner was not given any opportunity of hearing. On 24th September, 2012, say was filed to the report and on 25th September, 2012, judgment was delivered by the committee. The learned advocate submits that there are no contra evidence on record.

2. The learned Additional Government Pleader submits that, it is the case of no evidence. Except one entry of Julaha caste of the year 1972, there is no other evidence substantiating the case of the petitioner. In such case, according to the learned Addl.G.P. the committee ought to have conducted affinity.

3. We have considered the submissions.

4. Except one entry in the school record of the petitioner there are no other documents showing Julaha caste. Of course, there are no other contra documents indicating any other caste. As the evidence was scanty, the committee ought to have considered the home enquiry and the affinity.

5. In the light of above, it would be appropriate for the committee to consider the same afresh.

6. In the light of aforesaid observations, the impugned order as such is quashed and set aside.

7. The petitioner is relegated before the committee. The petitioner shall appear before the committee on 27th March, 2018. The committee shall decide the said proceeding afresh, expeditiously and in light of the aforesaid observations.

8. The writ petition accordingly stands disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

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