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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12491 OF 2017**

Neha Nalinkumar Yadgirikar Petitioner.

V/s

The State of Maharashtra
and Others Respondents.

Mr. Ashwin V. Sakolar for the Petitioner.
Mr. S.B. Kalel, AGP for Respondent Nos. 1 and 2.
Mr. Ranjit Thorat, Sr. Counsel a/w Mr. P.M. Patil for Respondent
No.2. - BMC.

**CORAM: B. R. GAVAI &
B. P. COLABAWALLA, JJ.**

DATE: 16th FEBRUARY, 2018

P.C.:-

1] Rule. Rule is made returnable forthwith. Respondents waive service. Heard, by consent of parties.

2] Perusal of the material placed on record would reveal that, pre-constitutional documents seem to have not been properly considered by the Scrutiny Committee.

3] The impugned order is therefore quashed and set aside. The matter is remitted to Respondent – Scrutiny Committee for considering

afresh. Needless to state that, the Scrutiny Committee would be bound to take into consideration the pre-constitutional documents submitted by the Petitioner pertaining to his forefathers. It is further directed that, if decision of the Respondent – Scrutiny Committee is adverse to the interest of the Petitioner, no coercive steps be taken against the Petitioner for a period of three weeks from the date of the said order.

4] Rule is made absolute in the aforesaid terms.

(B. P. COLABAWALLA, J.)

(B. R. GAVAI, J.)