

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO.10631 OF 2019

Pandit Shivram Tiparse ..Petitioner

Versus

The State of Maharashtra and ors. ..Respondents

Mr M.A. Golegaonkar, Advocate for petitioner
Mr P.S. Patil, Addl.G.P. For respondent-State

WRIT PETITION NO.10637 OF 2019

Govind Dashrath Tiparse ..Petitioner

Versus

The State of Maharashtra and ors. ..Respondents

Mr M.A. Golegaonkar, Advocate for petitioner
Mr P.S. Patil, Addl.G.P.for respondent-State

WRIT PETITION NO.10639 OF 2019

Keshav Dhondiba Tiparse ..Petitioner

Verus

The State of Maharashtra and ors. ..Respondents

Mr M.A. Golegaonkar, Advocate for petitioner
Mr P.S. Patil, Addl.G.P.for respondent-State

WRIT PETITION NO.10640 OF 2019

Uttam s/o Shivram Tiparse ..Petitioner

Versus

The State of Maharashtra and ors. ..Respondents

Mr M.A. Golegaonkar, Advocate for petitioner
Mr P.S. Patil, Addl.G.P.for respondent-State

WRIT PETITION NO.10641 OF 2019

Kaushalya Shivram Tiparse

..Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

Mr M.A. Golegaonkar, Advocate for petitioner
Mr P.S. Patil, Addl.G.P. for respondent-State

WRIT PETITION NO.10663 OF 2019

Jyshree Sheshrao Tiparse

..Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

Mr M.A. Golegaonkar, Advocate for petitioner
Mr P.S. Patil, Addl.G.P. for respondent-State

WRIT PETITION NO.10673 OF 2019

Ashok Purbhaji Tiparse

..Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

Mr M.A. Golegaonkar, Advocate for petitioner
Mr P.S. Patil, Addl.G.P. for respondent-State

WRIT PETITION NO.10674 OF 2019

Ashok Dashrath Tiparse

..Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

Mr M.A. Golegaonkar, Advocate for petitioner
Mr P.S. Patil, Addl.G.P. for respondent-State

WRIT PETITION NO.10675 OF 2019

Madhav Dhondiba Tiparse

..Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

AND

WRIT PETITION NO.10697 OF 2019

Sheshrao Shivram Tiparse

..Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

Mr M.A. Golegaonkar, Advocate for petitioner

Mr P.S. Patil, Addl.G.P.for respondent-State

**CORAM : S.V. GANGAPURWALA AND
ANIL S. KILOR, JJ.****DATE : 28.08.2019****ORAL ORDER :**

1. In all these cases, the caste claims of the petitioners are invalidated. Amongst the other submissions, one of the grounds agitated by the learned Counsel for the petitioners was that the petitioners were not served with the show-cause notice. Opportunity was not given to them to file their say and in their absence, the matter has been decided and that the Committee did not have the jurisdiction to re-open the proceedings.

2. Learned A.G.P. submits that the show-cause notices were issued to the petitioners. The petitioners deliberately chose to remain absent. It is only with a view to prolong to the matter, the petitioners remained absent. On the instructions of the Joint Commissioner of Scheduled Tribe Committee, the learned A.G.P. submits that they would grant one more opportunity to the petitioners. The petitioners shall co-operate with the Committee in expeditious disposal of the proceedings.

3. We are not entering into the debate as to whether the show-cause notices were served or proper opportunity was given to the petitioners or otherwise. The Committee has acceded to grant one more opportunity to the petitioners. As the matter pertains to social status of the petitioners, we pass the following order.

4. The impugned orders are quashed and set aside. The petitioners may file say to the show-cause notice issued to them and may raise all defences available to them including the authority of the Committee to issue show-cause notice. The Committee shall thereafter, considering the submissions of the petitioners and take decision upon the show-cause notice of re-opening the proceedings and depending upon the decision on show-cause notice shall proceed with the matter. The petitioners shall appear before the Committee on 16.09.2019.

5. As the date of appearance is given to the petitioners, it is not necessary for the Committee to issue separate notice to the petitioners. The petitioners may obtain the show-cause notice on 16.09.2019 and the Committee shall provide them the copies of the show-cause notices. The say shall be filed by the petitioners to the show-cause notice within a period of one month from the date of appearance and the decision shall be taken by the Committee, upon the objection raised by the petitioners expeditiously. The petitioners shall co-operate the Committee in expeditious disposal of the proceedings. Depending upon the decision taken upon the objection of the petitioners, the Committee may further proceed with the matter.

6. Writ Petitions are disposed of accordingly. No costs.

(ANIL S. KILOR, J.)

(S.V. GANGAPURWALA, J.)

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