

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7596 OF 2019

PRANALI TATYARAO KANLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Vibhute Sunil M.
AGP for Respondents : Mr. V. M. Kagane

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WRIT PETITION NO.7602 OF 2019

RUSHIKESH TATYARAO KANLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Vibhute Sunil M.
AGP for Respondents : Mr. V. M. Kagane

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CORAM: S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.

DATE: 25th JUNE, 2019

PER COURT:

1. The caste claim of the petitioners are invalidated, aggrieved thereby the present writ petitions.

2. Mr. Vibhute, learned counsel for the petitioners submits that the vigilance report were

sent on the wrong address of the petitioners. The petitioners did not get the notice of hearing. Even the judgments were sent on the wrong address. It is only when the uncle of the petitioners visited the committee, the petitioners got the knowledge of the judgments being delivered by the committee. The petitioners be given one more opportunity to contest the matter on merits.

3. Mr. Kagane, the learned A.G.P. submits that the petitioners did not remain present. The notice was issued to the petitioners communicating the date of hearing as 23.06.2018. The copies of the vigilance were sent on 09.04.2018 to the petitioners. Now, the petitioners cannot turn around and say that proper opportunity was not given to the petitioners. The documents has been properly considered by the committee and the petitioners could not prove their caste claim.

4. We have considered the submissions canvassed by the learned counsel for respective parties.

5. From the judgment it appears that the notice was issued by the committee to the petitioners calling for hearing on 23.06.2018, and on 23.06.2018 none of the petitioner or their parent appeared for hearing. It appears that even say was not filed to the vigilance report. The contention of the petitioners is that the notice and the copy of the vigilance report were sent on the wrong address.

6. We may not enter into the said debate. As the matter pertains to the social status of the petitioners, we are inclined to grant one more opportunity to the petitioners.

7. The impugned orders are quashed and set aside. The petitioners are relegated before the committee. The petitioners shall appear before the committee on 02.07.2019 and file their say to the vigilance report immediately. The committee shall thereafter decide the proceedings as expeditiously as possible and considering that the petitioner in

Writ Petition No. 7602 of 2019 is desirous of seeking admission for professional course shall endeavour to decide it within 15 days thereafter.

8. The writ petitions are disposed of accordingly. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

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