

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

WRIT PETITION NO. 8203 OF 2020

Neha Sanjay Watane

.. Petitioner

Versus

Director of Medical Education &
Research, CET Cell and others

.. Respondents

Mr. Mahesh S. Deshmukh, Advocate for the Petitioner.

Mr. S. G. Karlekar, AGP for Respondent Nos. 1 and 3.

Mr. M. D. Narwadkar, Advocate for Respondent No. 2.

**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATED : 15th DECEMBER, 2020.

PER COURT:-

. The tribe claim of the petitioner as belonging to “Mannervarlu” (Scheduled Tribe) is invalidated.

2. Mr. Deshmukh, learned counsel for the petitioner submits that the committee has considered one Ashwini D/o Vishnu Watane to be related to the petitioner. According to him, said Ashwini Vishnu Watane is not related to the petitioner. The petitioner was never confronted with the genealogy relied by the committee. On 25.11.2020 the petitioner was directly called for hearing without giving an opportunity to put forth her stand vis-a-vis the genealogy showing Ashwini D/o

Vishnu Watane to be related to the petitioner. The order is passed without adhering to the principles of natural justice.

3. We have also heard the learned A.G.P for respondents.

4. Considering the fact that the grievance of the petitioner is non adherence to the principles of natural justice, the genealogy relied by the committee not brought to the notice to the petitioner and further that the matter pertains to the social status of the petitioner, we are inclined to give one more opportunity to the petitioner.

5. In the light of the above, we pass the following order.

6. The impugned judgment is quashed and set aside. The parties are relegated before the committee. The petitioner shall appear before the committee on 17.12.2020. The petitioner may put forth her stand vis-a-vis the genealogy relied by the committee and relation of the petitioner with Ashwini D/o Vishnu Watane. The committee shall thereafter decide the validation proceeding expeditiously and preferably by 23.12.2020.

7. Writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.