

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

WRIT PETITION NO. 30 OF 2019

Shaikh Mohsin Yunus

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri P. P. More, Advocate h/f Shri Y. K. Bobade, Advocate for the Petitioner.

Shri S. Y. Mahajan, Addl.G.P. for Respondent Nos. 1 to 3.

Shri S. J. Salunke, Advocate for the Respondent No. 4.

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

DATE : 06TH FEBRURY 2020.

FINAL ORDER :

. The complaint is filed by the petitioner challenging the validity of the respondent No. 4. The petitioner has filed the complaint (page 46) with the Committee regarding the validity issued to the respondent No. 4.

2. It is trite that the Committee has jurisdiction in very narrow compass to review, unless case of fraud is made out.

3. It is for the Committee to consider the complaint filed by the petitioner.

4. The Committee shall peruse the complaint and the validity

issued to the respondent No. 4. The respondent No. 4 also has got right to take a defence about the complaint not tenable/tenable. The Committee shall consider the complaint and the say of the respondent No. 4 before passing any order for rejecting the complaint and/or for reopening of the validation proceeding.

5. In case the committee takes a decision to reject the complaint and/or reopen the proceeding, then the parties may agitate in respect of the said decision. However, before taking a decision by the Committee of requiring the proceedings to be reopened, the proceedings shall not be reopened.

6. With these observations, the writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

bsb/Feb. 20