

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

953 WRIT PETITION NO.5110 OF 2021

MIHIR MILIND PATHAK
VERSUS
THE STATE OF MAHARASHTRA THR ITS SECRETARY AND ANOTHER

...
Advocate for Petitioner : Patil Prakashsing B.
AGP for Respondents State: Mr S K Tambe

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

DATE : 23rd March, 2021.

ORDER:

1. Caste verification proposal of the petitioner is returned back on the ground that the petitioner was absent for hearing.
2. Mr. Patil, the learned counsel for the petitioner submits that the petitioner did not receive notice of hearing and as such could not remain present for the hearing. The proposal should not have been returned back.
3. Learned A.G.P. accepts notice for all the respondents and submits that as the petitioner remained absent, the proposal was returned back.
4. When the proposal was submitted, the committee ought to have decided it on merits.
5. Considering that the matter is not decided on merit, we are inclined to grant one more opportunity to the petitioner.
6. The impugned order is quashed and set aside.
7. The petitioner shall appear before the Committee on 08.04.2021

along-with the proposal returned back to him.

8. Upon submission of the proposal and appearance of the petitioner on 8th April, 2021 before the Committee, the petitioner shall proceed to decide the same in accordance with law on its own merits. The committee may endeavour to decide the proposal within six months.

9. The petitioner shall cooperate in deciding the proceedings.

10. Writ petition disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V.GANGAPURWALA, J.)

JPC