

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

949 WRIT PETITION NO.9420 OF 2021

SANJEEV SANTOSH PAWAR
VERSUS
SCHEDULED TRIBE CERTIFICATE SCRUTINY COMMITTEE,
THROUGH ITS MEMBER SECRETARY

...
Advocate for Petitioner : Mr. Mahesh S. Deshmukh.

AGP for Respondent/State: Mr. S. W. Munde.
...

CORAM : S. V. GANGAPURWALA &
R. N. LADDHA, JJ.

DATE : 26th August, 2021.

P.C.:

. The learned counsel for petitioner submits that the impugned order is passed without notice to the petitioner and without hearing the petitioner. The caste claim of the petitioner is invalidated.

2 The learned AGP appears for the respondent and submits that the petitioner had given application that the petitioner does not want to proceed further with the validation proceeding.

3 Mr. Deshmukh, learned counsel for petitioner submits that the said application appears to have been given by some third person.

4 We have perused the order passed by the Committee. The Committee relied upon the application in the file of the petitioner that

the petitioner does not want to proceed further with the proceeding and wants to withdraw it and thereafter, has decided the petition on merits in one paragraph order.

5 It appears from the order that the petitioner did not remain present for hearing also. It is submitted that the petitioner had not filed say to the vigilance.

6 Considering that the matter pertains to the social status of the petitioner, we are inclined to grant one more opportunity to the petitioner, however, the petitioner deserves to be mulct with costs.

7 In light of that, we pass the following order:

ORDER

- I. The impugned order is quashed and set aside.
- II. The petitioner shall deposit costs of Rs.10,000/- (Rupees Ten Thousand Only) with the High Court Bar Association within a period of one week.
- III. The petitioner shall appear before the Committee on 2nd September, 2021.

IV. The petitioner may file say to the vigilance report.

V. The Committee thereafter, shall decide the proceeding on merits, preferably within four months.

VI. The writ petition is disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

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