

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.14421 OF 2021**

BHARTI TUKARAM THAKUR ALIAS BHARTI PRADIP THAKUR
..PETITIONER

VERSUS

SUB DIVISIONAL OFFICER AND OTHERS ..RESPONDENTS

...

Mr. Sagar S. Phatale, Advocate for the Petitioner.
Mr. S. K. Tambe, AGP for Respondents-State.

...

**CORAM : S. V. GANGAPURWALA &
S. G. DIGE, JJ.**

DATED : 21st DECEMBER, 2021.

PER COURT:-

1. The caste certificate issued to the petitioner by the Executive Magistrate, Dhule was referred for verification before the Scrutiny Committee. The Scrutiny Committee canceled and confiscated the said certificate on the ground that, the petitioner on the date of Presidential Notification was permanent resident of Tq. Amalner, Dist. Jalgaon.

2. The learned counsel submits that, the impugned order is passed without notice to the petitioner and without hearing the petitioner. The father of the petitioner and real brother of the petitioner are issued with the caste certificate by the same Authority. The validity certificate is also granted to the brother of the petitioner.

3. The learned A.G.P. appears for respondent nos.1 and 2.

4. It appears that, the impugned order is passed without notice to the petitioner and without hearing the petitioner. On this sole ground the impugned order deserves to be quashed and set aside and hereby quashed and set aside. Parties are relegated before the Scrutiny Committee. The petitioner shall appear before the Scrutiny Committee on 11.01.2022. The Scrutiny Committee shall after hearing the petitioner take decision afresh with regard to the territorial jurisdiction of the authority issuing the certificate. Naturally, the petitioner will be entitled to place on record all the relevant aspects of the matter.

5. Writ Petition is disposed of. No costs.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE