

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

WRIT PETITION NO. 3735/2020.

Chandrashekhar Vishwanath Sakharpohe. ... Petitioner.

-VERSUS-

State of Maharashtra and others. ... Respondents.

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Shri K. Nalamwar, Advocate for the Petitioner.

Shri D.P. Thakare, Additional Government Pleader for the Respondents.

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**CORAM : NITIN JAMDAR AND
ANIL S. KILOR, JJ.**

DATE : 27 JANUARY 2021.

P.C.

Heard learned Counsel for the Parties.

2. The Petitioner has challenged the order passed by the Respondent – Scrutiny Committee invalidating the caste certificate of the Petitioner as belonging to “Lingder” Scheduled Caste.

3. The learned Counsel for the Petitioner contended that the Petitioner was not given any opportunity to give reply to the

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report of the Vigilance Cell and in view of this breach of principles of natural justice, the impugned order be set aside and the matter be remanded back.

4. The Scrutiny Committee in the impugned order has noted that after receipt of report of Vigilance Cell, notices were given to the Petitioner by way of hamdast, messages were sent on his mobile phone and on his e-mail I.D. and inspite of various opportunities, the Petitioner did not remain present.

5. In the petition the pleadings as to why the Petitioner could not remain present are completely vague. There are no particulars at all as to what prevented the Petitioner from attending the hearings. On the basis of casual pleading the finding of Scrutiny Committee that the Petitioner avoided to attend the hearing, cannot be set aside.

6. Having realized that the challenge is raised with no particulars, the learned Counsel for the Petitioner prays that Petitioner be permitted to file a fresh Writ Petition pleading specific particulars.

7. Writ Petition is accordingly disposed of with liberty to the Petitioner to file fresh petition with specific particulars and necessary proof.

(ANIL S. KILOR, J)

(NITIN JAMDAR, J)

Rgd

**Rakesh
Dhuriya**
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by Rakesh
Dhuriya
Date: 2021.01.30
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