

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

939 WRIT PETITION NO.2179 OF 2022

**PRADIP TULSHIRAM SONAWANE
VERSUS
THE STATE OF MAHARASHTRA & ANOTHER**

...

Advocate for the petitioner : Mr.Mayur Subhedar
h/f.Mr.C.V.Dharurkar
AGP for Respondent-State : Mr.S.P.Tiwari

...

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

DATE : 15.02.2022

P.C. :

1] The petitioner had obtained caste certificate from the Sub Divisional Officer, Jalgaon. The proposal was submitted for validation of the said certificate. The Scrutiny Committee under the impugned order held that the petitioner's permanent place of residence is at Bhusawal, Taluka Bhusawal, District Jalgaon and as such certificate issued by the Sub Divisional Officer, Jalgaon is without jurisdiction.

2] Learned counsel for the petitioner submits that the petitioner was not heard before the impugned order was

passed. The original place of residence as on the date of the presidential notification was Bholane, Taluka and District Jalgaon. As such certificate was issued by the Competent Authority.

3] Learned AGP for the respondent-State submits that considering the information given by the petitioner in Form-E, it is clear that the petitioner's original place of residence is Bhusawal, Taluka Bhusawal, District Jalgaon. The Committee has not committed any illegality in passing the impugned order.

4] When an order adverse to the interest of any party is to be passed the minimum requirement of adherence to the principles of natural justice is necessary.

5] As averred by the petitioner, the impugned order is passed without notice to the petitioner. We set aside the impugned order on the ground of non adherence to the principles of natural justice.

6] The parties are relegated before the Committee. The petitioner shall appear before the Committee on 01.03.2022. The Committee shall hear the petitioner and take decision afresh with regard to the competency of the authority issuing caste certificate. Pursuant to the said decision, further steps be undertaken.

7] Writ Petition is disposed of. No costs.

[S.G.DIGE, J.]

[S.V.GANGAPURWALA, J.]

DDC