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

WRIT PETITION NO.8030 OF 2022

MANISHA UTTAM PASALWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS DEPUTY
DIRECTOR RESEARCH AND MEMBER SECRETARY AND
ANOTHER

....

Mr C. R. Thorat, Advocate for petitioner;
Mr P. S. Patil, A.G.P. for respondents

**CORAM : RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.**

DATE : 3rd August, 2022

PER COURT:

1. The petitioner is aggrieved by the order dated 23/05/2022, passed by the Committee, vide which her request for issuance of 'Mannervarlu' Scheduled Tribe certificate is ignored, on the ground that, though the appeal was filed in 2016, the petitioner has not pursued the said appeal.

2. Having heard the learned Advocate for the petitioner and the learned A.G.P. on behalf of the respondents, it is apparent that notice of hearing was not issued by the Committee to the petitioner and as such, she was unaware, as to whether hearing in

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the matter had commenced or whether it was in a dormant state. Without an opportunity of hearing, the Committee cannot observe that the petitioner has not pursued the appeal.

3. In view of the above, this petition is partly allowed.

4. The impugned order dated 23/05/2022 is quashed and set aside and the Case No.NAN/APP/07/2016 is restored to the file of the Kinwat Committee at Aurangabad.

5. The petitioner shall appear before the said Committee, on 17/08/2022 at 12.00 noon. She shall participate in the hearing on the dates, as may be granted by the Committee. We expect the Committee to conclude the hearing and pass an order, as expeditiously as possible and preferably, on or before 30/09/2022.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

sjk