

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.868 OF 2022

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Meenakshi Padmakar Idekar
@ Meenakshi Narendra Bhatkar Petitioner

Vs.

State of Maharashtra & Ors. Respondents

Mr. R. K. Mendadkar for the Petitioner
Smt. A. A. Purav, AGP for the State
Mr. Anuj Vasant Gaikar - Legal Officer, Caste Scrutiny
Committee, Thane.

**CORAM: S.V. GANGAPURWALA &
VINAY JOSHI, JJ.**

DATED : MARCH 31, 2022

P.C.

1 Heard the learned Counsel for the Petitioner and the
learned AGP.

2 Amongst other submissions, one of the submissions of
the learned Counsel for the Petitioner is that proper
opportunity of hearing was not accorded to the Petitioner.
The Petitioner was issued with notice and was directed to
remain present on 10th December 2021 for hearing. The

Petitioner filed an Application stating that the Petitioner was unwell and date be adjourned to 13th December 2021. However, the Committee proceeded further in the matter.

3 The learned AGP submits that ample opportunity was given to the Petitioner on each and every occasion. On the date of hearing, the Petitioner deliberately remained absent.

4 We have considered the submission. From the judgment, it appears that the Petitioner was directed to remain present on 10th December 2021. On the said date, the Petitioner remained absent. The Petitioner, it appears that, had given an Application that the Petitioner was unwell and date be adjourned by three days. However, the Committee proceeded further on the said date.

4 Considering the fact 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 also deserves to be mulct with costs.

5 In the result, we pass the following order :

- a. The impugned order is quashed and set aside.
- b. The parties are relegated to the Authority.
- c. The Petitioner shall appear before the Committee on 9th April 2022.
- d. The Petitioner shall deposit costs of Rs.25000/- (Rs. Twenty Five Thousand Only) with the Authority on or before 9th April 2022.
- e. Deposit of cost is condition precedent.
- f. The Committee shall thereafter decide the proceedings after giving opportunity of hearing to the Petitioner, on merits, preferably within 4 months from the date of appearance of the Petitioner.
- g. The Writ Petition stands disposed of.
- h. No costs.

(VINAY JOSHI, J.)

(S.V. GANGAPURWALA, J.)