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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5309 OF 2021

Supriya Subhash Nanaware] .. Petitioner

vs.

The State of Maharashtra & Anr.] .. Respondents

Mr.Ramchandra Mendadkar for Petitioner.

Mr.B.V. Samant, AGP for State.

**CORAM : S.V. GANGAPURWALA &
M.G.SEWLIKAR, JJ**

DATE : 29TH APRIL, 2022.

P.C.

1] The Petitioner is assailing the order cancelling the validity certificate issued to her.

2] It appears that the validity Certificate of Koli Mahadev Scheduled Tribe was issued to the Petitioner on 12.07.2000. Under the impugned order the said Validity Certificate is cancelled.

3] It appears that show cause notice was issued to the Petitioner as to why validity certificate issued to her should not be cancelled. The Petitioner filed reply to the show cause notice. It is the contention of the Petitioner that subsequently the Petitioner was never issued with the notice, no opportunity of hearing was extended to the Petitioner and order is passed behind the back of the Petitioner.

4] The learned AGP submits that the said proceedings were taken up against the present Petitioner. One Yuvraj and Sudhir were belonging to the same family. The learned AGP contended that all of them belong to the same family.

5] We have specifically asked the learned AGP as to whether any notice was served upon the Petitioner calling her for hearing. The learned AGP on going through the record candidly accepts that there is nothing on record to suggest that the Petitioner was issued and served with notice of hearing.

6] In the light of that, as appropriate opportunity of hearing was not accorded to the Petitioner, we are inclined to grant one more opportunity to the Petitioner to put-forth her case before the Caste Scrutiny Committee.

7] In the result, we pass the following order :

i] The impugned order cancelling Validity Certificate of the Petitioner is quashed and set aside qua the present Petitioner, and the parties are relegated before the Caste Scrutiny Committee.

ii] The Petitioner shall appear before the Caste Scrutiny Committee on 08.06.2022.

iii] The Petitioner is entitled to put-forth her case before the Committee, which thereafter, shall decide the proceedings afresh in accordance with law as expeditiously as possible.

[M.G.SEWLIKAR, J]

[S.V.GANGAPURWALA,J]