

Dusane

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.9771 OF 2022

Madan s/o Bhagchand Shirsath ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

BHALCHANDRA
GOPAL
DUSANE

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BHALCHANDRA
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Date: 2022.08.22
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Ms. Anita Gavkar i/by Mr. Sushant C. Yeramkar for Petitioner.
Mrs. M.P. Thakur, AGP for Respondent-State.

**CORAM : S.V. GANGAPURWALA &
MADHAV J. JAMDAR, JJ.**

DATED : 20TH AUGUST 2022

P.C. :

1. The Petitioner's caste claim belonging to Koli Mahadev has been invalidated by the Caste Scrutiny Committee.

2. Amongst other submissions, one of the submission of the learned counsel for the Petitioner is that the Petitioner was not provided with proper opportunity. The letter was issued on a wrong address. The Petitioner could not get the knowledge of the date.

3. We have also heard the learned AGP for the Respondent-State.
4. From the perusal of the order, it appears that the Petitioner could not remain present. The debate is about notice issued on a wrong address.
5. Considering that the matter involves the social status of the Petitioner, we are inclined to grant one more opportunity to the Petitioner to putforth his case.
6. In the light of above, the impugned order is quashed and set aside. The parties are relegated before the committee. The Petitioner shall appear before the Scrutiny Committee on 7th September 2022.
7. As the date of appearance has been given by the Court, now it will not be necessary for the Committee to issue fresh notice to the Petitioner. The Committee after hearing the Petitioner, take the fresh decision within three months from the date of appearance.
8. Accordingly rule is made absolute. No costs.

(MADHAV J. JAMDAR, J.)

(S.V. GANGAPURWALA, J.)