

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6672 OF 2022

Macchindra Dattatram Manaji ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

Mr. Deepak D. Choudhari, Advocate for the Petitioner.

Mrs. M. P. Thakur, AGP for the Respondents/State.

**CORAM: S.V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATED : SEPTEMBER 8, 2022

P.C.

1. Rule. Rule is made returnable forthwith. By consent of parties, taken up for final hearing.

2. The caste certificate of the petitioner is invalidated. Aggrieved thereby the present petition. Amongst other grounds, one of the ground, as per the learned Counsel for the petitioner, is that he could not get the notice of hearing issued by the Committee. The notices were issued on the old address of the petitioner. The petitioner had shifted to the new address.

3. The learned AGP submits that the petitioner had not communicated the changed address to the Committee. Seven to eight notices were issued to the petitioner. The petitioner consistently remained absent.

4. From the judgment, it appears that, five to six times

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notice were issued to the petitioner. The petitioner had not remained present nor the petitioner filed say to the vigilance report. It is not that the Committee has not given an opportunity to the petitioner. The contention is that the notices were issued on the old address. The petitioner did not intimate the changed address to the Committee.

5. However, considering that the the matter involves the social status of the petitioner, we are inclined to grant one more opportunity to the petitioner. But the petitioner deserves to be mulct with the cost. In view of that, we pass the following order :

ORDER

- (i) The impugned order is quashed and set aside on the condition that the petitioner shall pay cost of Rs.25,000/- to the Committee on or before 3rd October 2022.
- (ii) The petitioner shall appear before the Committee on 3rd October 2022.
- (iii) The petitioner is already in receipt of the vigilance report. The petitioner shall file his say to the vigilance report on or before 3rd October 2022.
- (iv) The Committee shall, thereafter, take decision on the proceedings after hearing the petitioner expeditiously.
- (v) Rule is made absolute in the above terms.
- (vi) The writ petition is disposed of. No costs.

(R. N. LADDHA, J.)

(S.V. GANGAPURWALA, J.)