

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

**WRIT PETITION NO.924 OF 2015
WITH
WRIT PETITION NO.925 OF 2015**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.R.O.Awasarmol, advocate for the Petitioners.
Mr.K.G.Patil, Addl. Govt. Pleader for the State.
Mr.S.S.Dambe, advocate for Respondent No.2.
Mr.R.I.Wakade, advocate for Respondent Nos.3 and 4.

**CORAM : S.V.GANGAPURWALA &
V.K.JADHAV, JJ.
Date : 23.06.2015.**

PER COURT :

1. Heard.
2. The grievance is that vide impugned order, the Respondent No.2 has cancelled the approval granted in favour of the petitioners. According to the petitioners, the same is without notice to the petitioners and without hearing the petitioners.
3. Mr.Dambe, learned counsel for Respondent No.2 submits that considering the totality of the circumstances, the order has been rightly passed. The names of the petitioners were not there on the Muster during the relevant period.

4. It is not disputed that approval was granted to the appointment of the petitioners, however, the same is cancelled by the impugned order without notice to the petitioners and without hearing the petitioners. It is trite that whenever an order adverse to the interest of any party is passed, he is required to be heard.

5. In light of that, the impugned order is quashed and set aside. The Respondent No.2 shall reconsider the case of the petitioners regarding the grant/refusal of approval. The petitioner shall appear before the Respondent No.2 on 8.7.2015. The Respondent No.2 shall after hearing the petitioner decide about the aspect of approval afresh.

6. All contentions of respective parties are kept open.

7. The Writ Petitions are accordingly disposed of with aforesaid observations and directions. No costs.

(V . K . JADHAV , J .)

(S . V . GANGAPURWALA , J .)

Dt.23.06.2015.
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