

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3946 OF 2013

NISAR AHMED KHAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. S.B Talekar
AGP for Respondent 1: Mr. K.J.Ghute Patil
Advocate for Respondent 2 : Mr. N.B. Suryawanshi
Advocate for Respondent 3 : Mr. V.D.Sonwane
Advocate for Respondent 5 : Mr. R.N.Dhorde Senior counsel
a/w Mr. R.L.Kute

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CORAM : A.V. NIRGUDE & V.K. JADHAV, JJ.

Dated: January 15, 2015

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PER COURT :-

1. This writ petition mainly challenges the order passed by the respondents blacklisting the petitioner who is a Transport Contractor working for the respondent No.2 for last more than 15 years. A show cause notice was given on 1.4.2013 and served on 9.4.2013. The impugned order was passed on 10.4.2013. The learned counsel for the respondent No.2 agreed to the suggestion of the Court that, they would withdraw this order and allow the petitioner to submit their reply to the show cause notice and after following the principles of natural justice, they would take further decision in the matter. We make it clear that we are not entering into the disputed question such as whether the petitioner is entitled to enhance the charges etc. We would

also not go into the question which has arisen between the petitioner, respondent no.2 and Mathadi Board or FCI. The learned counsel for respondent no. 2 also assured the Court that, process would be concluded within a period of TWELVE WEEKS (12) from today.

2. In view of this, purpose of this petition is over. Writ Petition stands disposed of.

(V.K. JADHAV, J.)

(A.V. NIRGUDE, J.)

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aaa/-