

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

WRIT PETITION NO. 5265 OF 2014

Pathan Khanam Farah Nasirullakhan
VERSUS
The State Of Maharashtra And Others

Mr. Giri Ravi M., Advocate for Petitioner.
Mr. P.N.Mule, A.G.P. for Respondent/State Authorities.
Mr. B.A.Shinde, Advocate for Respondent No.2
Mr. P.S.Agrawal, Advocate for Respondent No.3.

WITH
CIVIL APPLICATION NO. 9207 OF 2014

IN

WRIT PETITION NO.:5265 OF 2014

Afrojali Khan Abedli Khan Pathan
VERSUS
Pathan Khanam Farah Nasirullah Khan and others

Mr. Tungar Nikhilesh K., Advocate for Applicant.

CORAM : **S. V. GANGAPURWALA and**
V. L. ACHLIYA, JJ.

DATE : 02nd March, 2015.

PER COURT:

. The Petitioner is appointed as a Shikshan Sevak. The appointment of the Petitioner is also approved by the Education Officer. The Education Officer vide order dated 27th February, 2013, cancelled the approval granted in favour of the Petitioner. The Petitioner approached this Court. This Court vide order dated 23rd September, 2013, passed in Writ Petition No.1964 of 2013, had set aside the said order on the ground

that the principles of natural justice have not been followed and directed the Education Officer to decide the said aspect afresh after hearing the parties. Vide order dated 16th June, 2014, the Education Officer again maintained the same order. The said order is assailed in the present writ petition.

2 We have heard the learned counsel for the respective parties.

3 The order impugned is certainly without assigning any reason. Not a single reason is assigned for maintaining the order, which was passed earlier i.e. on 27th February, 2013, which was set aside by this Court. When an order quasi judicial or administrative is passed, the same has to be supported by reasons. Reasons are the lifeline of any administrative or quasi judicial order. It depicts the application of mind of the person passing the said order. Even the order dated 27th February, 2013, which was passed earlier did not mention any such reason.

4 The order impugned has been passed in a casual manner, without even discussing the case put forth by the parties. Such an order cannot be sustained.

5 In light of the above, we pass the following order:

- I. The impugned order is quashed and set aside.
- II. The Education Officer (Primary) shall after hearing all the parties concerned, decide about the aspect of

approval granted to the Petitioner, afresh, on its own merits, and shall decide the same by giving reasons.

- III. Accordingly, the writ petition is disposed of. No costs.
- IV. In view of disposal of the writ petition, pending Civil Application No.9207 of 2014, for intervention, also stands disposed of.

[V. L. ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]

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