

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

WRIT PETITION NO. 9907 OF 2014

SHARDA WAMANRAO KHARAT  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Golewar V.P.

AGP for Respondents: Mr.P.N.Mule.

Advocate for Respondent Nos.2 and 3 : Mr. Dheple Shantaram R.

...

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

DATE : 12<sup>th</sup> January, 2015.

P.C.:

1 The Petitioner assails the order passed by Respondent No.3 dated 7<sup>th</sup> June, 2014, directing recovery of an amount of Rs.10,000/- (Rupees Ten Thousand only) from the Petitioner.

2 The leaned counsel for Respondent Nos.2 and 3 submits that it is because of the illegal act of the Petitioner, the order was passed by the Labour Court to pay Rs.10,000/- (Rupees Ten Thousand only) to the applicant therein. The same was the result of the illegal act of the present Petitioner. As such, the order was passed recovering the amount of Rs.10,000/- (Rupees Ten Thousand only) from the Petitioner. No illegality has been committed by Respondent Nos.2 and 3 in passing the said order.

3 When the order adverse to the interest of the party is passed, principles of natural justice are required to be adhered. In the present case, the said order is passed without notice to the Petitioner.

4 In light of the above, the impugned order is quashed and set aside. Respondent No.3 after issuing notice to the Petitioner and getting explanation from the Petitioner, shall consider the aspect afresh, on its own merits.

5 Writ petition is disposed of. No costs.

**[ V.L. ACHLIYA, J. ]**

**[ S. V. GANGAPURWALA, J. ]**

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