

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8332 OF 2014

Girish Vishnu Devkate

...Petitioner

v/s.

The State of Maharashtra & ors.

...Respondents.

...

Mr. Anand Landge for the Petitioners.

Ms.S.S.Bhende, AGP for Respondent Nos.1 and 2.

...

**CORAM : ANOOP V. MOHTA &
A.A.SAYED, JJ.**

DATED : 17 OCTOBER 2015

ORDER:

Mentioned. Not on Board. No R & P. As the learned Counsel for the Petitioner states that facts and law involved in the present Writ Petition are identical to the facts and law involved in Writ Petition No.3825 of 2014, which is disposed of today, the Petitioner is permitted to construct Record, as Record of the present Writ Petition is stated to be not available.

2. Learned Counsel for the Petitioner has submitted photo-copy of the Petition.

3. Rule. Rule is made returnable forthwith. Heard finally, by consent of the parties.

4. We are inclined to dispose of the present Writ Petition as admittedly before revoking the earlier order of approval by the impugned order dated 07/08/2014, no show cause notice and/or any kind of hearing was given by respondent No.3. This is not the case of obtaining appointment by playing fraud and/or by misleading and/or by furnishing fabricated documents about qualifications and experience & as nothing is reflected even in the impugned order. Respondent No.3 without following the provisions of law and without hearing, reviewed its own order which is, prima facie, also not permissible for want of specific provision of review. Therefore, in the interest of justice, by keeping all points open, we are inclined to quash and set aside impugned order dated 07/08/2014 with liberty to concerned respondents to issue show cause notice and pass reasoned order after hearing the petitioner by concerned officer as early as possible preferably within three months from today.

5. Rule is made absolute accordingly. No costs.

(A.A. SAYED, J.)

(ANOOP V. MOHTA J.)