

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 2045 OF 2014
WITH
CIVIL APPLICATION NO. 857 OF 2014
IN
WRIT PETITION NO. 2045 OF 2014**

Mrs.Sangeeta Rajendra Bamane .. Petitioner

Vs.

Thane Municipal Corporation Thane & Ors. .. Respondents

Mr.N.V. Bandiwadkar for petitioner.

Mr.H.M. Inamdar for applicant in civil application No.857/2014.

Mr.Mandar Limaye for respondents.

**CORAM : ANOOP V. MOHTA,
K.R.SHRIRAM, JJ.
DATE : 27TH MARCH, 2015**

P.C.

1 Rule made returnable forthwith and heard finally.

2 After hearing the petitioner and the respondents, we are inclined to dispose the present petition as the order of demotion passed by respondent no.2 against the petitioner was without giving an opportunity of hearing as contemplated in law. The learned counsel appearing for the-respondent Management, on instructions, and after verifying the record conceded the position about this lacuna. Therefore in the interest of justice, by keeping all

points open, we are inclined to allow the writ petition by setting aside the order dated 7th February 2014 passed by respondent no.2-The Labour Officer-cum-Controlling Officer [School Board], Thane Municipal Corporation, Thane and the order dated 20th February 2014 issued by Thane Municipal Education Board. However, it is made clear that the respondents are at liberty to initiate their action in accordance with law and pass appropriate order after giving opportunity to all concerned.

3 The petition is disposed of. No costs.

4 In view of disposal of writ petition, no order is necessary in the civil application and the same does not survive and stands disposed of accordingly.

(K.R. SHRIRAM, J.)

(ANOOP V MOHTA, J.)