

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 8047 OF 2014**

Arvind Balwant Rupnar

....Petitioner.

Vs.

Shiv Chhatrapati Shivaji
Prasarak Mandal & Ors.

....Respondents.

Mr. I.M. Khairdi for the Petitioner.

Ms. S.S. Bhende, AGP for Respondent Nos. 1, 4 and 6.

**CORAM : ANOOP V. MOHTA AND
V.L.ACHLIYA, JJ.****DATE : 16 JULY 2015.****ORDER:-**

Rule. Rule made returnable forthwith.

Heard finally by consent of the parties.

2 The submission is made by the learned counsel appearing for the Petitioner and also by Respondents that in similarly situated matter, this Court had passed order of remand directing the Education Officer, to take fresh decision on the cancellation of approval as it was passed without hearing the Petitioner.

3 Therefore, based upon the order passed by this Court in Tanaji Anna Todkar Vs. Vidya Vikas Mandal Javle & Ors. (WP No. 8048.

of 2014) dated 9 July 2015, we are inclined to allow the present Writ Petition. Impugned order dated 7 August 2014, cancelling the approval of the Petitioner is set aside. Respondent No.3-The Education Officer, is directed to consider the issue again after hearing the Petitioner. The Petitioner is directed to appear before Respondent No.3-the Education Officer, on 13 August 2015 so that no question of issuing notice to the Petitioner again.

4 In view of above, by keeping all points open, the Writ Petition is disposed of.

5 Rule disposed of accordingly.

6 There shall be no order as to costs.

(V.L. ACHLIYA, J.)

(ANOOP V. MOHTA, J.)