

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8213 OF 2014

Mr.Nagnath Appasaheb Maindargi)... Petitioner
V/s.
The State of Maharashtra, through its)
Secretary, Dept. of Education)... Respondents

WITH
WRIT PETITION NO.8211 OF 2014
WRIT PETITION NO.8290 OF 2014
WRIT PETITION NO.8302 OF 2014
WRIT PETITION NO.8305 OF 2014
WRIT PETITION NO.8306 OF 2014
WRIT PETITION NO.8331 OF 2014

Mr.Ajay A.Joshi for petitioners.

Ms.S.S.Bhende AGP for respondent/State.
Mr.S.P.Rajepandere for respondent nos.4 & 5 (except in WP 8290/2014 & WP 8331/2014).

**CORAM: ANOOP V.MOHTA &
K.R.SHRIRAM, JJ.**

DATED : 16th April, 2015.

P.C. :

1 Rule returnable forthwith. Heard finally by consent of parties.

2 We are inclined to dispose of these writ petitions as the basic issues so raised are common and so also the authority who has passed impugned order dated 7.8.2014 in all the matters. Therefore,

this common order.

3 The respondent-education officer by an order dated 7.8.2014 cancelled the approval of appointment of the petitioners on the post of Shikshan sevak/Laboratory Assistant/Jr.Clerk though the respondent-management appointed the petitioners after due advertisement. The management's proposal was initially accepted on 19.10.2013 but subsequently by the impugned order all these approvals were cancelled by holding that the petitioners were appointed in spite of ban on recruitments. No hearing whatsoever was given to the petitioners before passing the impugned order specifically in the background of earlier sanction of the approval so referred above. The authority and power of such officer to cancel such approval is also an issue. This court therefore, in similarly situated matters by reasoned order in Writ Petition No.7794 of 2014 dated 4.3.2015 has set aside such orders and directed the education officer to decide the matter in accordance with law by keeping all points open. Therefore, we are also inclined to dispose of the present writ petitions. Therefore, following order.

ORDER

- (1) Impugned order dated 7.8.2014 is quashed and set aside ;
- (2) The education officer/concerned authority to re-hear the matter by giving equal opportunity to all, in accordance with law ;
- (3) All points kept open ;

(4) The petitioners undertake to remain present before the education officer on 30.4.2015 ;

(5) No costs.

(6) All the petitions disposed of accordingly. Rule made absolute accordingly.

(K.R.SHRIRAM, J.)

(ANOOP V.MOHTA,J)