

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8299 OF 2014

Santoshkumar Krishna Wale

...Petitioner.

versus

The Education Officer (Secondary),
Zilla Parishad,
Solapur and others

...Respondents.

...

Mr. Ashok B. Tajane 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:

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

2. 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.

3. Learned Counsel appearing for the Petitioner has informed that similar orders are passed in other 51 similarly situated persons. Therefore, it is desirable that the Officer concerned should recall this type of orders to avoid multiplicity of proceedings for the abovementioned specific reasons.

4. Rule is made absolute accordingly. No costs.

(A.A. SAYED, J.)

(ANOOP V. MOHTA J.)