

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 10002 OF 2013**

Supriya Shivlingappa Ginni

....Petitioner.

Vs.

Smt. Manikbai Hirachand Shah & Ors.

....Respondents.

Mr. S.S. Patwardhan for the Petitioner.

Mr. I.M. Khairdi for Respondent Nos. 1 and 2.

Ms. S.S. Bhende, AGP for Respondent Nos. 4 and 5.

Mr. Vijay Killedar for Respondent No. 3.

**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 concern 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 10 September 2013, cancelling the approval of the Petitioner is set aside. Respondent No.3-The Administrative Officer, is directed to consider the issue again after hearing the Petitioner. The Petitioner is directed to appear before Respondent No.3-the Administrative 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.)