

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 3899 OF 2015

Chaitanya Sureshrao Nagmote and others

-vs-

State of Maharashtra and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. A.S. Dhore, counsel for the petitioners.
Mr. D. M.Kale, A.G.P for the respondent Nos. 1 and 2.
Mr. Apurva De, counsel for the respondent No.3.

CORAM : SMT. VASANTI A. NAIK &
A. I. S. CHEEMA, JJ.

DATE : 24.08.2015.

Heard.

By this petition, the petitioners challenge the order of the respondent No.2, cancelling the approval to the appointment of the petitioner No.1.

Inter alia, the impugned order is challenged by the petitioners on the ground that the petitioner No.1 was not heard before the approval of the petitioner No.1 was cancelled. It is stated that it is well settled that the approval to the appointment of a teacher cannot be cancelled without hearing the concerned teacher.

Shri D.M.Kale, the learned Assistant Government Pleader appearing on behalf of the respondent Nos.1 and 2, fairly admits on instructions from the respondent No.2 that the petitioner No.1 was not personally heard before his approval was cancelled.

In view of the aforesaid admitted position, the writ petition is partly allowed. The impugned order is quashed and set aside. The respondent No.2 is free to take appropriate steps in the matter of cancellation of the approval after hearing the petitioner No.1 and the respondent No.3.

Order accordingly. NO costs.

JUDGE

JUDGE