

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

WRIT PETITION No.15202 of 2007

Dt:20.11.2015

Between:

Chaitanya Bharathi Junior College.

... Petitioner

And

The Secretary and others.

... Respondent

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

WRIT PETITION No. 15202 of 2007

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ORDER:

Heard learned counsel for the petitioner. None appears for the respondents though served.

The petitioner, in the instant writ petition, seeks the following relief:

“For the reasons mentioned in the accompanying affidavit it is prayed that this Hon’ble Court may be pleased to issue writ, order or direction more particularly one in the nature of writ of mandamus, declaring the proceedings of the first respondent in Rc.No.1330652/E4-1/2007-08 dated 07.06.2007 as illegal, arbitrary and contrary to law and issued without any power or authority and

consequently to set aside the same and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

This Court on 17.07.2007, had granted interim suspension of the impugned order, dated 07.06.2007 and as result thereof, the affiliation/recognition continued till today. The challenge is mainly on the ground that principles of natural justice were not followed while passing the impugned order.

Learned counsel for the petitioner submits that though a show cause notice was issued and it was also replied, there is no whisper in the order to show that it was considered by respondent No.1 while passing the impugned order.

Keeping that in view and considering that the respondents have not filed any counter-affidavit, I am satisfied that this writ petition can be conveniently disposed of by the following order:

“Impugned order, dated 07.06.2007, is set aside with liberty to the respondents to initiate fresh action, if they so desire and advised against the petitioner-institution and conclude the same by following the due procedure and granting an opportunity of being heard to them”.

With this liberty to the respondents, the writ petition is disposed of.

Consequently, miscellaneous petitions, if any, also stand disposed of. There shall be no order as to costs.

DILIP B. BHOSALE, ACJ

Dt:20.11.2015

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