

1. Mr. Talekar, learned counsel for petitioner states that when petitioner applied for refund of security deposit after contract period was over, it was communicated to the petitioner that said security deposit is being forfeited on account of non adherence to the terms and conditions of the contract.
2. According to learned counsel, during contract period no grievance was made by the respondents, in fact, there is procedure prescribed for entertaining and deciding the complaints as per Government Resolution dated 12th March, 2013, however, the same has not been adhered to. The petitioner was never supplied the copy of report submitted by Sub-Divisional Officer. Learned counsel for petitioner further submits that Sub-Divisional Officer does not have any

jurisdiction to make any inspection, it is only the Committee headed by the Collector which is to consider the grievances.

3. Mr. Dande, learned Assistant Government Pleader states that always notices were issued to the petitioner, however, the petitioner did not file any say. The respondent - authority after considering the report of the Sub-Divisional Officer, has passed order.

4. We have considered the submissions. It does not appear that the copy of the report of Sub-Divisional Officer, on the basis of which notice was issued to the petitioner, was supplied to the petitioner, which was the basis for passing the impugned order. It appears that only notice was issued to the petitioner. The order passed in such manner cannot stand to principles of natural justice.

5. Considering the above, the impugned order dated 23-11-2015 passed by the Collector, Jalgaon is quashed and set aside. Respondent - authority shall supply the copy of report of Sub-Divisional Officer to the petitioner. Upon receipt of the same, petitioner shall file his say and thereafter respondent - authority shall consider the same and after hearing the petitioner pass appropriate order afresh. It will be open for the petitioner to raise possible defence as would be available.

6. Writ petition accordingly stands disposed of. No costs.

Sd/-

[K. K. SONAWANE, J.]

Sd/-

[S. V. GANGAPURWALA, J.]