

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.4024 OF 2015**Prakash S/o Motiram Chavan Vs. The 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
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Mr.A.A.Mukhedkar, advocate for the petitioner.
Mr.B.V.Virdhe, A.G.P. for the State.

**CORAM : S.V.GANGAPURWALA AND
K.K.SONAWANE, JJ.**
Date : 04.08.2016.

PER COURT :

1. Heard.
2. Mr.Mukhedkar, learned counsel for the petitioner submits that the petitioner was appointed as a President of the Vasantrya Naik Tanda Vasti Sudhar Yojna, for a period of three (3) years commencing from 20.1.2014. The learned counsel submits that without any reason, the appointment of the petitioner was cancelled. No reasons are given while cancelling the said appointment. Failure to give reasons tantamounts to violation of the principles of natural justice. The Respondent can not cancel the appointment of the petitioner as per its sweet will. The scheme

would suffer as no new appointment of President for the said scheme has been made though it is submitted that names are recommended more than a year back, the impugned order be quashed and set aside.

3. Learned A.G.P. submits that the appointment of the petitioner came to be made taking into consideration the proposal submitted by the District Level Committee. The appointment of the petitioner has been cancelled as per Government Resolution dated 21.2.2015 and till new President is appointed, all the administrative work of the said scheme has been delegated to the Chief Executive Officer of Zilla Parishad, Osmanabad. For appointment of new President and Members, the proposal has been forwarded by the Regional Deputy Commissioner, Social Welfare Department. The Assistant Commissioner, Social Welfare, Osmanabad has published advertisement for appointment of Non-Governmental President/Members on 20.3.2015. The Assistant Commissioner, Social Welfare, has forwarded the proposal of one Mr.Praveen Pawar to the Regional Deputy Commissioner, so also of one Baliram Rathod. Subsequently, the proposals of 14 candidates have been forwarded to the Regional Deputy Commissioner. The said proposal is pending.

4. In fact, the Respondents while cancelling the appointment of the petitioner ought to have been mentioned some cause.

5. Cancellation of the nomination of the petitioner as a President of the said scheme is of February 2015. More than one and half year has passed and now scheme is looked after by the Chief Executive Officer of the Zilla Parishad. We could have considered the case put forth by the petitioner, had the time not lapsed.

6. Considering the fact that subsequent to the cancellation of the appointment of the petitioner as a President, alternate arrangement has been made and further steps are taken, we are not inclined to pass any orders in the present Writ Petition.

7. The Writ Petition as such is disposed of. No costs.

(K . K . SONAWANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.04.08.2016.
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