

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4632 OF 2016

Shri Rajendra Mohan Wabale and anr. ..Petitioners
Versus
The Director, Directorate of Technical
Education and anr. ..Respondents

Mr.Dooman J. Dalal, advocate for the petitioners.
Mr. Siddhesh Ashok Pilankar i/b. Uday P. Warunjikar, advocate for
caveator.
Ms. Geeta Sham Satam- Superintendent, Directorate of Technical
Education is present.

**CORAM : SHANTANU KEMKAR &
RANJIT MORE, JJ.**

DATE : 3rd MAY, 2016.

P. C. :

Mentioned for production. Taken up on production board in
view of urgency.

2. Parties through their counsel.

3. The petitioners have challenged the order dated
20th February, 2016 (annexed at "Exhibit F") passed by the Director,
Technical Education, Government of Maharashtra, Mumbai, whereby the
petitioner No.1's approval for appointment on the post of Principal has
been rejected with retrospective effect.

3. Learned counsel for the petitioners submitted that before passing the impugned order, the petitioners were not given an opportunity of hearing. Learned AGP, on instructions received from Ms. Geeta Sham Satam- Superintendent, Directorate of Technical Education, Mumbai, who is present before the Court, stated that the petitioners were issued show cause notice and after considering their reply, the decision has been taken but it has been fairly stated that no personal hearing was given to the petitioners. She, in the circumstances, submitted that the petitioners will be given an opportunity of personal hearing and, thereafter fresh order will be passed in accordance with law. Keeping in view the aforesaid statement made by learned AGP, in the presence of Ms. Geeta Sham Satam- Superintendent, Directorate of Technical Education, Mumbai, we are inclined to dispose of this petition by setting-aside the impugned order dated 20th February, 2016 annexed at "Exhibit F" with further directions to the Director, Technical Education, Government of Maharashtra, Mumbai, to pass fresh order in accordance with law after giving an opportunity of hearing to the petitioners. In view of the aforesaid, the petition is disposed of.

[RANJIT MORE, J.]**[SHANTANU KEMKAR, J.]**