

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6843 OF 2016

Tathe Sharad Panditrao .. Petitioner
-Versus-
State of Maharashtra & Ors. ..Respondents

Mr. S.B.Deshmukh with R.Deshmukh for petitioner
Ms. Nisha Mehra, AGP for State.

CORAM : SHANTANU S. KEMKAR &
PRAKASH DEU NAIK JJ.

DATE : 15th December 2016.

P.C.

1] Feeling aggrieved by the order dated 21st March 2013, Exh.I, by which an ex parte decision has been taken by the Assistant Commissioner, Respondent No.3, the petitioner had approached the Deputy Divisional Commissioner, Social Welfare Department, Pune. The Deputy Divisional Commissioner vide letters dated 21st may 2013 and 3rd June 2015 had directed the Assistant Commissioner, Social Welfare Department, Dist. Solapur to reconsider petitioner's claim. But, as the same has not be reconsidered and no decision has been taken, the petitioner had to file this petition.

2] Learned Counsel for the petitioner submits that this petition may be disposed of by directing the Assistant Commissioner to comply with the letters dated 21st May 2013 and 3rd June 2015 issued by the Deputy Divisional Commissioner and to take a fresh decision after giving opportunity of hearing to the petitioner.

3] Keeping in view the aforesaid limited prayer , we dispose of this petition by directing the Assistant Commissioner to re-examine the petitioner's claim and pass fresh orders uninfluenced by the decision, which he has already taken. The petitioner be given opportunity of hearing before taking any decision. Petitioner to appear before the Assistant Commissioner on 27th December 2016 at 11.00 a.m. The Assistant Commissioner to take decision within two months from the date of the appearance of petitioner before him. All contentions of the petitioner are kept open.

4] The petition is disposed of.

(PRAKASH DEU NAIK, J)

(SHANTANU S. KEMKAR, J)