

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11371 OF 2016

Yadav Yashwant Vasant	...Petitioner
vs.	
State of Maharashtra and Others	...Respondents

Mr. N.V. Bandiwadekar a/w. Mr. S.A. Mane, for the Petitioner
Mr. Vikas Mali, AGP for the Respondent-State.

CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.

DATE : **OCTOBER 04, 2016**

P.C.:

- . Parties through their counsel.
2. By filing this Petition under Article 226 of the Constitution of India the Petitioner has challenged the order dated 14th September, 2016 (Exhibit I) passed by Respondent No. 2 whereby affirming the decision taken by the management in regard to declining the Petitioner as a surplus Teacher. According to the Petitioner, the impugned order is a non speaking order as no reason have been assigned in the order as to why the decision of the management has been approved.

3. Having gone through the said impugned order, we find

that the impugned order has been passed mechanically without application of mind. In the said order no reasons have been assigned. In the circumstances, we have no option but to set aside the impugned order by remanding the matter to Respondent No. 2 to pass a fresh reasoned order. It is open for the Petitioner to submit a detail representation with supporting documents before the Respondent No. 2 on which the Petitioner wants to place reliance.

4. Let the representation as aforesaid be submitted by the Petitioner before Respondent No. 2 within two weeks from today. On receipt of the same, Respondent No. 2 shall pass a reasoned order within two weeks thereafter, after giving due opportunity of hearing to the Petitioner.

5. The Petitioner to appear before Respondent No. 2 with the representation on 19th October, 2016 at 3.00 p.m.

6. The Petition stands disposed of as such.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)