

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 5785 OF 2017

Govind Ramchandra Rachu .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri V. D. Gunale, Advocate for the Petitioner.
Ms. Rashmi P. Gaur, A.G.P. for Respondent Nos. 1 and 2.

**CORAM : S. V. GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.**

DATE : 27TH APRIL, 2017.

PER COURT :

. Mr. Gunale, the learned counsel submits that, the petitioner was granted permanent approval as an Assistant Teacher. However, vide the impugned order the same is cancelled even without notice to the petitioner and without hearing the petitioner.

2. The learned Assistant Government Pleader accepts notice for respondent Nos. 1 and 2.

3. It appears from the order that on 09.03.2017 the permanent approval was granted to the petitioner and the same has been cancelled, without hearing the petitioner.

4. It is trite that, whenever an order adverse to the interest of any party is passed the adherence to principles of natural justice is mandatory. The petitioner was granted permanent approval and said approval is sought to be cancelled. At that time the petitioner ought to have been heard. The principles of *audi alteram partem* ought to have been followed.

5. In view of the above, the impugned order is quashed and set aside. The Education Officer shall after hearing the petitioner take decision afresh with regard to the approval. The petitioner shall appear before the Education Officer on 14.05.2017. The writ petition is disposed of. No costs.

[SANGITRAO S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb/April 17