

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

24 WRIT PETITION NO. 3504 OF 2018

BANDU ANANDA KOTHALE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Vinod Prakash Patil.
AGP for Respondent/State: Mr. S. K. Tambe.

...

CORAM : **V. L. ACHLIYA, J.**
DATE : 16th April, 2018.

ORDER:

. By this petition, the Petitioners have challenged the notice dated 21st February, 2018 issued by Respondent No.3.

2 In short, it is the contention of the Petitioners that Respondent No.3 is predetermined to pass the order adverse to the interest of Petitioners.

3 The learned AGP objected the maintainability of petition with contention that the petition is premature and filed challenging the show cause notice.

4 In my view, the petition filed is premature. The Petitioners have filed response to the show cause notice. While deciding the matter,

the Respondent No.3 is bound to hear the parties before passing the order. In the event, any order adverse to the interest of the Petitioners is passed, the Petitioners have remedy to file appeal. In this view, I am not inclined to entertain the petition. The Respondent No.3 is directed to decide the petition after giving opportunity of being heard to all concern. In case any order adverse to the interest of the Petitioners is passed, same shall not be implemented for a period of four weeks from the date of passing of the order.

5 Writ petition stands disposed of in above terms.

[V. L. ACHLIYA, J.]

ndm