

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

**BENCH AT AURANGABAD.**

**WRIT PETITION NO.5134 OF 2017**

Subhash S/o Dhondiba Thoke  
and others. ... Petitioners.

Versus

The State of Maharashtra  
and others. ... Respondents.

...  
**WITH**  
**WRIT PETITION NO.5919 OF 2017**  
...

Mr.V.M.Humbe, advocate for the Petitioners.  
Mr.A.V.Deshmukh, A.G.P. for the State.  
Mr.Satyajit S.Bora, advocate for Respondent No.5.  
...

**CORAM : S.V.GANGAPURWALA AND  
A.M. DHAVAL, JJ.**

**Date : 16.04.2018.**

**PER COURT :**

1. The petitioners assail the order  
thereby refixing their salary and also claiming  
recovery.

2. We have heard Mr.Humbe, learned counsel for the petitioners and Mr.Bora, learned counsel for Respondent.

3. Though the learned counsel for respective parties sought to canvass submissions on merits, we are not inclined to consider the same as the impugned order is passed without notice to the petitioners, thereby in transgression of the principles of natural justice.

4. In light of the above, the impugned orders are quashed and set aside. In case the Respondents desire to refix the salary, they shall first issue notice to the petitioners. The petitioners will have right to file their say to the notice and then only decision shall be taken by the Respondents.

5. It is made clear that we have not considered the merits of the matter.

6. The Writ Petitions are disposed of. No costs.

**(A.M.DHAVAL, J.)**

**(S.V.GANGAPURWALA, J.)**

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