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

WRIT PETITION NO. 7737 OF 2018

Bhivrai English Medium School,
Latur, Dist. Latur,
Through its Secretary
Sow. Jayashree w/o Manohar Badame,
Age: 48 years, Occ: Secretary of
Bhivrai English Medium School
under Balvikas Mahila Mandal
Latur, Dist. Latur.

..PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary
Tribe Development Department
Mantralaya, Mumbai-32.
2. The Commissioner,
Tribal Development Department,
Adivashi Vikas Bhavan,
Agra Road, Nashik.
3. The Additional Commissioner,
Tribal Development Department,
Opposite to Police Head Quarter,
Beside T.B. Hospital, Camp,
Amravati, Dist. Amravati.
4. Project Officer,
Integrated Tribal Development
Project Kamalmuri,
Tq. Kalamnuri Dist. Hingoli.

..RESPONDENTS

Mr D.B. Pawar, Advocate for petitioner;
Mr G.O. Wattamwar, A.G.P. for respondents

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**CORAM : PRASANNA B. VARALE &
S. M. GAVHANE, JJ.**

DATE : 10th AUGUST, 2018

ORAL ORDER :

Heard Mr. Pawar, learned Counsel appearing for the petitioner.

2. Learned Counsel appearing for the petitioner by inviting our attention to the order dated 16th July, 2018 passed by this Court submits that while issuing notice, this Court made a reference to the limited controversy involved in the petition. He invited our attention to the letter/communication dated 29th June, 2018 impugned in the petition. He then invited our attention to the order passed in Writ Petition No. 7809 of 2018 dated 30th July, 2018, copy of which, is placed on record and marked 'X' for identification.

3. On perusal of the order passed by us, we

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see no reason to take a different view in the present petition as the facts are nearly identical and grievance is also identical in nature and limited one. Accordingly, we pass the following order.

4. We direct respondent Nos. 2 and 3 to take decision of cancellation of the petitioner-institute afresh by giving an opportunity of hearing to the petitioner. Such exercise be undertaken and be completed within a period of six weeks from today. Respondent No.3 to issue notice to the petitioner-institute within two weeks. The petitioner to submit an application to respondent Nos. 2 and 3 for grant of audience by way of personal hearing, if so advised. Respondent Nos. 2 and 3 to consider that application on merit and pass appropriate orders within one week. After receipt of such application, respondent authority Nos. 2 and 3 to take decision afresh within six weeks in any event. The communication dated 29th June, 2018 is accordingly quashed and set aside.

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5. The writ petition is accordingly disposed
of.

(S. M. GAVHANE)
JUDGE

(PRASANNA B. VARALE)
JUDGE

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