

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14860 OF 2017

Suresh Balasaheb Javalekar

.. **Petitioner**

Versus

The State of Maharashtra and another

.. **Respondents**

Shri Mrigesh D. Narwadkar, Advocate for Petitioner.

Shri A. V. Deshmukh, A.G.P. for Respondent No. 1.

Shri U. S. Mote, Advocate for Respondent No. 2.

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.**

DATE : 5th April, 2018

PER COURT :

1. Learned counsel for the petitioner submits that before reducing the pay scale and claiming the recovery from the petitioner the respondents did not given any opportunity to the petitioner nor any notice was also given, only decision was communicated.

2. We have heard Mr. Mote, learned counsel for respondent No. 2.

3. The respondent could not produce any record to show that the petitioner was issued notice prior to the pay scale being changed.

4. As the impugned communication is without adhering to the principles of natural justice, the impugned communication is quashed and set aside. The respondent may after issuing notice to the petitioner and obtaining his say may take further decision as is permissible in law.

5. The writ petition accordingly stands disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

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