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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 10874 OF 2014

The Secretary, Shree Vishwanath ShamraoPetitioners
Patil Charitable Trust and another

V/s.

Shri. Sudhakar Kariappa Shetty and anotherRespondents

Mr. M. S. Topkar a/w Ms. Pavitra Manesh for the petitioners
Mr. Sarwadnya S. Kadtane i/b Mr. K. U. Nikam for respondent no. 1

**CORAM : SHANTANU KEMKAR AND
NITIN W. SAMBRE, JJ.**

DATE : JULY 3, 2018.

P.C.

Challenging the communication dated 25/03/2014, received from respondent no. 2 whereby the report of the Grievance Committee for reinstatement of the respondent no. 1 has been accepted by Management Council of the respondent no. 2, the petitioner has filed this petition.

2 According to the petitioner, before accepting the report of the Grievance Committee, an opportunity of hearing ought to have been

given to the petitioner. Having not done so, according to the petitioner, the impugned order, being in violation of principles of natural justice, is liable to be quashed and set aside.

3 Having considered the submissions made by the learned counsel for the petitioners as also the learned counsel for the respondents, we are of the view that the impugned order having been passed without giving an opportunity to the petitioners, same is liable to be quashed and accordingly quashed and set aside. As a result, the matter is remitted back to the Management Council for taking fresh decision after giving due opportunity of hearing to the petitioners as also respondent no. 1. Let the entire exercise be completed by the Management Council within 3 months from the date of receipt of copy of this order. All the contentions of the parties are kept open.

4 Writ Petition stands disposed of.

Parties to act on authenticated copy of this order.

[NITIN W. SAMBRE, J.]

[SHANTANU KEMKAR, J.]