

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7831 OF 2019

SWAPNIL PANDURANG INGOLE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners :
Mr. Deshmukh Shambhuraje V.
AGP for Respondents No. 1 & 2 : Mr. S. B. Yawalkar
Advocate for Respondent No. 3 : Mr. N. U. Yadav
Advocate for Respondents No. 4 & 5 :
Mr. A. A. Nimbalkar

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WRIT PETITION NO. 7832 OF 2019

KISHOR PRADIP SULTANE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners :
Mr. Deshmukh Shambhuraje V.
AGP for Respondents No. 1 & 2 : Mr. S. B. Yawalkar
Advocate for Respondent No. 3 : Mr. N. U. Yadav
Advocate for Respondents No. 4 & 5 :
Mr. A. A. Nimbalkar

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WRIT PETITION NO. 7833 OF 2019

SANTOSH BHUJANGRAO RANE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners :
Mr. Deshmukh Shambhuraje V.
AGP for Respondents No. 1 & 2 : Mr. S. B. Yawalkar
Advocate for Respondent No. 3 : Mr. N. U. Yadav
Advocate for Respondents No. 4 & 5 :
Mr. A. A. Nimbalkar

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**CORAM: S. V. GANGAPURWALA &
SMT. VIBHA KANKANWADI, JJ.**

DATE: 14th OCTOBER, 2019

PER COURT:

1. The learned counsel for the petitioners submits that the petitioners were granted approval to their appointment under order dated 16.05.2015. After two years on 09.06.2017, the approval granted to the petitioners came to be cancelled. The learned counsel submits that the same is without notice to the petitioners.

2. The learned counsel for respondent no. 3 submits that the respondent would give hearing to the petitioners.

3. At the time of grant of approval there is no requirement of hearing to be given to the party. The same is an administrative act of the authority. However, once the approval has been granted and when the same is to be cancelled, at that time the principles of natural justice are required to be adhered to as the order would be adverse to the interest of the party.

4. In light of the above, the impugned orders are quashed and set aside. The petitioners shall appear before the authority on 04.11.2019. The authority shall thereafter hear the petitioners and take decision on its own merits, expeditiously and preferably within a period of three (03) months thereafter.

5. Writ Petitions stand disposed of accordingly.
No costs.

[SMT. VIBHA KANKANWADI, J.] [S. V. GANGAPURWALA, J.]

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