

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

903 WRIT PETITION NO.426 OF 2020

**SHARAYU SAMAJIK SHAIKSHANIK PRATISHTHAN ARANVIHARA THROUGH
ITS PRESIDENT
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Chalak Amol B.
AGP for Respondents: Mrs. A.V.Gondhalekar

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**CORAM : S.V.GANGAPURWALA &
MANGESH S. PATIL, JJ.
DATE : 09.01.2020**

PER COURT. :-

Mr.Chalak, the learned counsel submits that the show cause notice issued is erroneous. Inquiry was already conducted earlier. No illegalities were found. Again for the same purpose, show cause notice is issued to the petitioner. It is not tenable. The learned counsel submits that alongwith copy of show cause notice, inquiry report is not submitted. An application has been made seeking the report on the basis of which show cause notice is issued. The show cause notice be quashed and set aside.

2 Mrs.Gondhalekar, learned Additional Government Pleader submits that the earlier inquiry was by a different authority. The authority issuing show cause notice is well within its power to take up the proceeding.

3 This Court would not entertain the Petition challenging the show cause notice unless the authority issuing the show cause notice does not possess the power and the jurisdiction. At the same time, principles of natural justice are required to be adhered to.

4 The authority shall supply the copy of the report on the basis of which the show cause notice is issued to the petitioner and on receipt of the copy of the report, the petitioner shall file say to the show cause notice within seven days.

5 With these observations, Writ Petition is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S.V.GANGAPURWALA,J.]

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