

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

154 WRIT PETITION NO.2818 OF 2020

SARJU GURUNAMAL GOKLANI
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY

...
Advocate for Petitioner : Mr Rane Girish S.
AGP for Respondents State: Mrs R P Gour

CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.

DATE : 3rd March, 2020

ORDER:

1. Under order dated 18th February, 2020, we had called explanation from Respondent No.3 about the anomaly appearing in the order. The order is dated 18.01.2020. The order states that the say filed by the petitioner is considered. The petitioner filed say on 21th January, 2020 i.e. after the order is passed.
2. Affidavit is filed by respondent No.3 explaining that on 16th January, 2020, the petitioner had placed on record some documents along-with adjournment application. He considered the documents placed on record as say and passed the order.
3. It appears that the petitioner had filed say on 21st January, 2020. Without entering into the controversy, cause of justice would be sub-served if opportunity is given for consideration of the say filed by the petitioner.
4. In light of that the impugned order is quashed and set aside. Respondent No.3 shall reconsider the matter. He shall consider the say filed by the petitioner on 21.01.2020.

5. The petitioner, if so chooses, may place on record additional documents on which he seeks to rely before respondent No.3 on 18.03.2020.

6. Respondent No.3, upon consideration of the say and the documents filed by the petitioner, shall take decision afresh.

7. Writ petition accordingly disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V.GANGAPURWALA, J.)

JPC