

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 2236 OF 2020

M/s Maya Rice Mills, Khamari,
Tah. and Dist. Gondia,
through its Proprietor
Shri Maheshkumar S/o Jagdishprasad Agrawal,
Aged about 51 years, Occu. - Business,
R/o. Ganesh Nagar, Gondia.

.... **PETITIONER**

// VERSUS //

- 1) The Collector, Gondia.
- 2) The District Supply Officer,
Gondia.
- 3) The Maharashtra State Co-operative
Marketing Federation Limited, Mumbai
through its District Marketing Officer,
Gondia having office No. 43, 4th Floor,
New Administrative Building,
Jaistambha Chowk, Gondia.

.... **RESPONDENTS**

Shri N. B. Kalwaghe, counsel for petitioner.
Shri D. P. Thakare, Addl. G. P. for respondent Nos.1 and 2.
Shri D. M. Gabhane, Counsel for respondent No.3.

**CORAM : SUNIL B. SHUKRE AND
AVINASH G. GHAROTE, JJ.**

DATED : 04th December, 2020

ORAL JUDGMENT : (Per : SUNIL B. SHUKRE, J.)

1. Heard. **Rule.** Rule made returnable forthwith.

2. Heard finally by consent of the learned counsel appearing for the parties.

3. In this case, no doubt, the impugned order has been passed without giving any opportunity of personal hearing to the petitioner, which opportunity has been considered to be a part and parcel of principles of natural justice by this Court in its judgment delivered in the case of *Sonu Electricals Vs. Amravati Municipal Corporation*, **2004(3) Mh.L.J. 543**, by taking support from the case of *Raghunath Thakur Vs. State of Bihar and Ors.*, **AIR 1989, SC 620**. This being the position, we are of the view that the impugned order passed without giving any opportunity of personal hearing to the petitioner cannot be sustained in the eye of law and therefore, this petition deserves to be allowed.

4. The petition is allowed.

5. The impugned order is hereby quashed and set aside.

6. However, as the period of black list mentioned in the impugned order is already over, we do not think it necessary to remand the matter for its fresh consideration to the respondent No.1.

Rule is made absolute in these terms. No cost.

(AVINASH G. GHAROTE, J.)

(SUNIL B. SHUKRE J.)