

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

WRIT PETITION NO. 5709 OF 2021

Madhukar S/o Balasaheb Kachgude ... Petitioner.

Versus

The State of Maharashtra
and another ... Respondents.

....

Mr. V.D. Salunke, Advocate for the Petitioner.
Mr. S.G. Karlekar, A.G.P. for Respondents / State.

....

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 05th APRIL 2021

PER COURT:-

1. The petition is filed seeking protection for a period of 15 days in case the adverse order is passed against the petitioner / Board of Directors of A.P.M.C. Ambejogai.

2. Mr. Salunke, learned counsel for the petitioner submits that for political consideration the farce is made of hearing. Though this Court had earlier granted protection for 15 days, the respondents in a high-handed manner acted upon the order and took the charge illegally. Eventually the petitioner succeeded before this Court. The notice of hearing was given on 17.03.2021 and the hearing was fixed on

23.03.2021 and that was the first and last date of hearing. No further hearing was accorded.

3. We have considered the submissions. We have under our order dated 01.03.2021 allowed the writ petition filed by the petitioner setting aside the order passed by the authority and given liberty to the authority to take fresh decision. We had restrained the Board from taking policy decisions.

3. Be that as it may, it would be hypothetical to presume the order that would be passed by the authority. The authority has not yet passed any order according to the petitioner.

4. It would be improper to presume the manner in which the order would be passed. The authority was directed by this Court while allowing the writ petition filed by the petitioner to consider all the aspects of the matter before taking the decision.

5. In the light of the above, the writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

S.P. Rane