

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.7927 OF 2015

Ashish Ramchandra Bhujbal

.. Petitioner

Vs.

Director, Department of
Higher Education & Ors.

.. Respondents

Mr.Chetan Mali for the petitioner.

Mrs.Kavita N. Solunke, AGP for the respondent nos.1, 2 and 5-State.

Mr.Milind Parab i/by M/s.Milind Parab and Associates for the
respondent nos.3 & 4.

CORAM : R.D. DHANUKA

ABHAYAHUJA, JJ.

DATE : 11th October 2021

P.C.:-

. Ms.Solunke, learned AGP for the respondent nos.1, 2 & 5, on instructions from Joint Director of Higher Education, Penvel Region states that the impugned order dated 29th September 2015 annexed at Exhibit 'Q' to the petition stands withdrawn and the Joint Director of Higher Education will render personal hearing to the petitioner and pass a fresh order in accordance with law. Statement is accepted.

2. The impugned order dated 29th September 2015 stands withdrawn in view of the statement made by the learned AGP.

3. The petitioner is directed to appear before the Joint Director of Higher Education, Panvel Region on 22nd October 2021 at 11.00 a.m. The Joint Director of Higher Education to pass a fresh order without

being influenced by the order dated 29th September 2015 and in accordance with law within four weeks from the date of hearing being rendered to the petitioner. The order that would be passed shall be communicated to the petitioner within one week from the date of passing such order.

4. If the order is adverse against the petitioner, no coercive steps shall be taken for four weeks from the date of communication of the order by the respondents against the petitioner. If the order is in favour of the petitioner, the Joint Director of Higher Education shall release the requisite amount of grant in favour of the petitioner within eight weeks from the date of communication of the order. If the Joint Director of Higher Education approves the claim of the petitioner from the date of initial appointment, the Joint Director of Higher Education shall also release the payment of salary from the due date within eight weeks from the date of such order.

5. Writ petition is disposed of in aforesaid terms. No order as to costs.

ABHAYAHUJA, J.

R.D. DHANUKA, J.