

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

WRIT PETITION NO. 10327 OF 2022

Shivkumar Suganna Ganapur ... Petitioner
Versus
The State of Maharashtra and Ors. ... Respondents

Mr. Kishor Patil i/b Mr. V.H. Narvedkar for the Petitioner.
Mrs. M.P. Thakur AGP for the State-Respondent Nos. 1 and 2.
Mr. Prasad P. Kulkarni for Respondent No. 3.

**CORAM : S.V. GANGAPURWALA &
R.N. LADDHA, J.J.**

DATED : 5th SEPTEMBER 2022

P.C. :-

1. Under the impugned order the revised pay scale accorded to the Petitioner is cancelled.
2. Learned Counsel for the Petitioner submits that impugned order is passed without giving notice to the Petitioner and without hearing the Petitioner.
3. Learned AGP appears for Respondent Nos. 1 and 2.
4. Upon perusal of the impugned order it appears that the pay scale was fixed of the Petitioner. The said pay scale is cancelled under the impugned order and directions are issued to file fresh proposal with minimum basic pay scale.
5. It is trite that whenever an order adverse to the interest

of any parties is passed, principle of natural justice are required to be adhered to. In the present case, the pay scale of the Petitioner was fixed, same is cancelled under the impugned order without giving notice to the petitioner.

6. In the light of that as the order is passed in violation of principle of natural justice, we set aside the impugned order and relegate the matter to Respondent No. 2. The Petitioner shall appear before Respondent No. 2 on 26th September 2022. The Petitioner may putforth his stand before the Respondent No. 2. Respondent No. 2 upon considering the stand taken by the Petitioner, shall pass a fresh order with regard to the pay scale of the Petitioner on his own merits.

7. The Writ Petition is accordingly disposed of with the aforesaid directions. No costs.

YUGANDHARA
SHARAD
PATIL

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(R.N.LADDHA, J.)

(S.V. GANGAPURWALA, J.)