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

20 WRIT PETITION NO.12343 OF 2023

PARBHANI EDUCATION SOCIETY PARBHANI THROUGH
ITS SECRETARY AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY
AND OTHERS

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Mr V. J. Dhage, Advocate for Petitioners;
Mr S. K. Tambe, A.G.P. for Respondent Nos.1 to 3

**CORAM : RAVINDRA V. GHUGE
AND
Y. G. KHOBRADE, JJ.**

DATE : 9th October, 2023

PER COURT:

1. Petitioner No.2/Employee Smt. Fareha Anjum Nazeer Ahmed Khan was granted approval to her appointment dated 28/08/2023. A compliant was lodged by Respondent Nos.4 and 5 on 06/09/2023. On the same date, without even issuing a notice to Petitioner No.2, much less, permitting an opportunity of hearing, the impugned order has been passed by Respondent No.2/Deputy Director of Education, Aurangabad, withdrawing the approval to her appointment.

(2)

2. We have heard the learned Advocates for the respective sides. There could be no dispute that an adverse order cannot be passed without granting an opportunity of hearing.

3. In view of the above, **this Writ Petition is partly allowed.** The impugned order dated 06/09/2023 is quashed and set aside, with liberty to Respondent No.2, to issue notices of hearing to all the stakeholders/litigating parties, and by following the due procedure laid down in law, pass appropriate orders on the complaints lodged by Respondent Nos.4 and 5. Let the said exercise be completed within 60 days.

4. All the contentions of the litigating parties, even to the extent of the maintainability of the complaints, are kept open.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

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