



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

WRIT PETITION NO. 1325 OF 2024

Ilyas Iqbal Memon

.. Petitioner

Versus

Union of India

Through Senior Divisional Commercial Manager

.. Respondent

Mr. G. D. Jain, Advocate for the Petitioner.

Mr. A. G. Talhar, DSGI for Respondent.

**CORAM : SMT. VIBHA KANKANWADI AND
S. G. CHAPALGAONKAR, JJ.**

DATE : 02nd FEBRUARY, 2024.

PER COURT :-

. The present petition is in fact the second round of litigation. The petitioner had approached this Court by filing Writ Petition No. 1665/2023 with companion matters which came to be decided by this Court on 27.02.2023 wherein, the respondent authority was directed to take decision on the petitioner's representation dated 09.01.2023. It was observed that the said order was without following principles of natural justice. It appears that, thereafter, show cause notice was issued to the petitioner and he had filed say and thereafter the impugned order dated 18.07.2023 came to be passed.

2. It is now contended in the petition that, no personal hearing was given though this Court had observed that the principles of natural

justice are required to be followed. The impugned judgment/order though takes note of the say filed by the petitioner does not make a mention in paragraph No. 8 that personal hearing was given to the petitioner.

3. Under the said circumstance, we are directed learned DSGI to take instructions thereupon. The written instructions have been given by the concerned authority dated 01.02.2024. The same are taken on record by marking Exh. A. The concerned authority is ready to give personal hearing to the petitioner within fifteen (15) days.

4. In view of the said statement the impugned order dated 18.07.2023 stands set aside. The writ petition is disposed of with direction to the petitioner to appear before the concerned authority on 14.02.2024 or any further convenient day within one or two days to the competent authority. Personal hearing be given to the petitioner and thereafter, the competent authority to decide the said representation dated 09.01.2023 which was in pursuant to Writ Petition No. 1665/2023 together with the show cause notice dated 13.04.2023 and the same.

(S. G. CHAPALGAONKAR)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE

PS.B.