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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6498 OF 2023**

Madhukar Baban Jagdale ... Petitioner

vs.

The State of Maharashtra through the District ... Respondents
Supply Officer, Surekha Mane and Anr

Mr. Mandar Soman, for Petitioner.

Mr. Asif I. I. Patel, Addl. GP a/w. Shri V.G. Badgujar, AGP for the
State.

Mr. Sudhir Badabe, Civil Supply Inspector, Purandar present.

CORAM : GAURI GODSE, J.

DATED : 4th MARCH, 2024

P.C. :-

1. On 9th February 2024, following order was passed:

“1. Learned counsel for the petitioner submits that the petitioner had given detailed response to the show cause notice and all the details were explained point-wise as alleged in the show cause notice. He submits that though he had produced copy of the register alongwith the show cause notice, the impugned order does not indicate that the same was even examined by the concerned authority. He submits that since the authorities have not taken into consideration point-wise

response given in his show cause notice, authorities be directed to conduct a fresh inquiry and take fresh decision.

2. Considering the aforesaid submissions, learned AGP seeks time to take instructions. Learned AGP to also place on record GR dated 12th November 1991.

3. Stand over to 23rd February 2024.

4. Parties agree that the petition can be disposed of finally at admission stage. To be listed under the caption for "Urgent admission".

5. Learned AGP on instructions of Mr. Sudhir Badabe, Civil Supply Inspector, Purandar submits that a fresh hearing shall be given to the petitioner on the Show Cause Notice dated 3rd August 2022 and a fresh decision shall be taken by considering the response of the petitioner to the said Show Cause Notice including documents relied upon by the petitioner.

6. Learned counsel for the petitioner submits that he may be permitted to place on record additional response to the said Show Cause Notice as well as documents relied upon in support of his submissions.

7. In view of the statement made on behalf of the District Supply Officer, who is present in the Court today, petition is disposed of by passing following order:

I) The impugned order dated 2nd February 2023, is quashed and set aside and the Inquiry Proceedings bearing No. 16/22, initiated pursuant to Show Cause Notice dated 3rd August 2022, is restored to the file of the District Civil Supply Officer, Pune for decision afresh.

II) Petitioner is at liberty to file additional reply to the Show Cause Notice including any documents relied upon by the petitioner within a period of three weeks from today.

III) Fresh decision to be taken uninfluenced by the order impugned in the petition.

8. Writ Petition is disposed of in the above terms.

(GAURI GODSE, J.)