

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12000 OF 2024

Smt. Pragati Ashok Sanap

...Petitioner

Versus

The State Of Maharashtra & Ors.

...Respondents

...

Mr. Makrand M. Kale, Advocate for the Petitioner.

Mr. M.M. Pable, AGP for Respondent – State.

...

CORAM : RAVINDRA V. GHUGE

&

M.M. SATHAYE, JJ.

DATE :- 23rd OCTOBER, 2024

PER COURT :-

1. The litigating parties are *ad idem* on the ground that the authority which passed the impugned order did not have the jurisdiction to do so, in the light of the Notification issued by the Social Justice and Assistance Department, Mumbai dated 27th July, 2024. Copy of the said Notification is taken on record and marked as 'X' for identification.

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2. In view of the above, by consent, **this Petition is partly allowed**. The impugned order is quashed and set aside and Appeal No.965 of 2024, would be remitted to the Authorities as empowered under the Notification 'X'. Appropriate notice for hearing shall be issued by the said Authority and the matter would be decided in accordance with the procedure applicable. We expect the exercise to be completed within 120 days.

(M.M. SATHAYE, J.)

(RAVINDRA V. GHUGE, J.)