



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

17 WRIT PETITION NO. 4830 OF 2025

**SHRI JAGDAMB SHIKSHAN PRASARAK MANDAL THROUGH ITS
SECRETARY**

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Mr. S. S. Thombre, Advocate for the Petitioner
Ms S. S. Joshi, AGP for the Respondents – State

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**CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 30.06.2025

PER COURT :-

1. Heard the learned counsel for the Petitioner as well as the learned AGP

2. By this Petition, the Petitioner has challenged the order dated 27.02.2025 passed by Respondent No.1, whereby an appeal filed by the Petitioner under the Rights of Persons With Disabilities Act, 2016, was dismissed, thereby confirming the order dated 26.07.2023, passed by Respondent No.2, whereby the registration of the Petitioner under the provisions of the said Act, stood cancelled.

3. The short ground on which the Petitioner is pressing for relief in the present Petition is that the principles of natural justice were violated, inasmuch as, the Petitioner was never put to notice that Respondent No.1 would be conducting hearing, pursuant to which the impugned order was passed. The record shows that the hearing was conducted on 23.01.2025 and it is recorded in the impugned order that there was no representative present on behalf of the Petitioner.

4. In response to the specific ground taken in this Petition, Respondent No.1 has filed its reply affidavit along with certain documents. We have perused the reply affidavit. It is stated in paragraph No.5 of the reply affidavit that the scheduled date of hearing of the appeal i.e. 23.01.2025, was fixed, a request was made to Respondent No.4 District Social Welfare Officer, Beed, to communicate the said date of hearing to the Petitioner. It is indicated that this procedure has been followed in respect of other such parties also.

5. There is no document placed on record to show that Respondent No.4 District Social Welfare Officer, indeed

communicated to the Petitioner about the date of hearing being 23.01.2025. The documents filed with the reply affidavit of Respondent No.1, also do not show any such communication having been served upon the Petitioner.

6. On a pointed query to the learned AGP as to whether there was any document to show that the petitioner was indeed served with notice, no tangible material was produced before this Court.

7. Hence, we come to the conclusion that in the present case, there was violation of principles of natural justice, as the hearing leading to passing of the impugned order took place behind the back of the Petitioner and it had no opportunity to place it before Respondent No.1 Appellate Authority.

8. On this short ground, the Petition deserves to be allowed. Accordingly, the Writ Petition is allowed. The impugned order dated 27.02.2025, is quashed and set aside and the matter is remanded back to Respondent No.1 for a fresh hearing on the Appeal filed by the Petitioner.

9. The Petitioner shall appear before Respondent No.1 on 07.07.2025. Respondent No. 1 shall decide the appeal as expeditiously as possible, and in any case, within six weeks from the date the petitioner appears before Respondent No. 1.

[Y. G. KHOBRADE, J.]

[MANISH PITALE, J.]

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