

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10912 OF 2024

Jayant Laxmikant Choupane

...Petitioner

Versus

The State of Maharashtra Thr. The
Additional Chief Secretary & Ors.

...Respondents

Mr. Sandesh Sukhla a/w Vivek Patil, Ms. Anasamah Sayed, Afsar Ansari, Devesh
Sawant i/b Vivek Patil & Associates for Petitioner.

Ms. P. J. Gavhane, AGP for State.

CORAM: G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATE: 24 MARCH 2025

P.C.

1. The petitioner claims to be a beneficiary of a license issued to him as Electrical Supervisor. Copy of the license is annexed to the petition at page 30. It is stated that although his license is valid and subsisting and more particularly, considering the past events which have been set out in the petition, as the petitioner had made complaints against some officials there is likelihood that his license may be cancelled without the petitioner being issued a show cause notice and being heard in adherence to the principles of natural justice.

2. In this view of the matter, the learned counsel for the petitioner submits that the only prayer which he would press is prayer clause (b) of the petition which reads thus:

"(b) In the alternative to above prayer-clause (a), to issue Writ of Mandamus or any appropriate Writ, Order or Direction of the same or similar nature under Article 226 of the Constitution of India to direct Respondents to observe the principles of natural justice by permitting to make written as well as oral representation to show cause, in case any action is proposed against the Petitioner vis-a-vis Electrical Supervisor certificate No. MS 20280 and being the Electrical Supervisor certificate 20280 (Exhibit "C-colly" herewith);"

3. Having heard learned counsel for the parties and having perused the record, we are of the opinion that in the event, the respondents intends to initiate any action against petitioner for cancellation of the license, they need to issue a show cause notice and the petitioner be heard on such show cause notice, after an opportunity is granted to him to file a reply to the show cause notice and only thereafter an appropriate orders can be passed.
4. In this view of the matter, we dispose of this petition in terms of the aforesaid observations. No costs.
5. All contentions of the parties are expressly kept open.

(ADVAIT M. SETHNA, J.)

(G. S. KULKARNI, J.)