



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

WRIT PETITION NO. 7305 OF 2023

Prakash Shiriramji Gajbhiye

vs.

The Municipal Commissioner, Nagpur Municipal Corporation, Nagpur.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. R. M. Fating, Advocate for petitioner.
Mr. N. Joshi, Advocate for respondent.

CORAM :- NITIN W. SAMBRE and SACHIN S. DESHMUKH, JJ.

DATE :- 30th JUNE, 2025

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We have heard the learned counsel for the parties for some time.

2. Though the petition is resisted by the learned counsel appearing for the respondent-Corporation, the fact remains that the order impugned was passed without there being any enquiry against the petitioner.

3. In such an eventuality, it cannot be said that the order impugned has been passed after granting complete opportunity of hearing to the petitioner.

4. That being so, the impugned order is hereby quashed and set aside.

5. We direct the respondent to proceed/conduct an enquiry against the petitioner about the alleged default and may pass an appropriate order in the matter.

6. The writ petition stands allowed in aforesaid terms. No order as to costs.

(SACHIN S. DESHMUKH, J.)

(NITIN W. SAMBRE, J.)