

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

WRIT PETITION NO. 4705 OF 2026

Mehtar Samaj Magaswargiya Sarvangin Vikas Sanstha

.Vs.

State of Maharashtra and others

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's Orders.

Court's or Judge's orders.

Mr Firdos Mirza, Sr. Adv. Assisted by Mr Sameer Khan, Advocate for the
 petitioner/s

Mr N. S. Rao, AGP for respondent No.1/State

Mr A. S. Mehadia, Advocate with Mr B. H. Kedar, Advocates for
 respondent Nos. 2, 3 and 4

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATED : 17th JUNE, 2026.

Heard.

2. Issue notice to the respondents, returnable on
22.06.2026.

3. Learned AGP waives service of notice on behalf
 of respondent No.1/State.

4. Mr A. S. Mehadia, learned Advocate waives
 service of notice on behalf of respondent Nos. 2, 3 and 4.

5. Mr Firdos Mirza, learned Senior Advocate has
 invited our attention to the legal opinion dated 02/04/2026
 issued by the legal advisor of the respondent Nos. 2, 3 and 4,
 whereby the opinion was given that since respondents have
 decided to terminate the contract of the petitioner-association,
 it would be better if the caveats are filed before the various

Benches of this Court for opposing the interim relief if such termination is challenged.

6. After such opinion was given on 02/04/2026, the Divisional Controller, Yavatmal has issued show cause notices on 15/04/2026 and 17/04/2026 and the Divisional Controller, Akola has issued show cause notices on 20/04/2026 and 22/04/2026 thereby calling upon the petitioner as to why the contract should not be terminated.

7. The petitioner immediately challenged such show cause notices before this Court in Writ Petition No. 3950 of 2026 pointing out the anxiety about such empty formality being conducted by the respondents. However, this court disposed of said writ petition with liberty to the petitioner to file its reply and then specifically directed the respondent Nos. 4 & 5 to grant an opportunity of hearing to the petitioner before passing such order.

8. Considering the anxiety of the petitioner that the respondents are likely to terminate his contract, this Court had directed that if any adverse order is passed against the petitioner, the same shall be kept in abeyance for another period of 15 days. The aforesaid order passed by this Court dated 07/05/2026 in Writ Petition No. 3950 of 2026.

9. After such order of this Court, the petitioner submitted his reply and it appears from the impugned order dated 26/05/2026 that without considering the reply of the petitioner much less without granting him an opportunity of hearing, the respondent Nos. 2 to 4 have terminated the contract. The fact that petitioner was not granted any

opportunity of hearing is further revealed and substantiated from the show cause notices dated 04/05/2026 and 26/05/2026.

10. In view of the above, the respondent Nos. 2 to 4 are directed not to act upon the impugned order dated 26/05/2026, till the returnable date.

11. Office objections, if any, shall be removed on or before next date.

[RAJ D. WAKODE, J]

[ANIL S. KILOR, J.]

Namrata