

ITEM NO.11 Court 3 (Video Conferencing) SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 15941/2021

(Arising out of impugned final judgment and order dated 21-09-2021 in WP No. 2813/2020 passed by the High Court Of Judicature At Bombay)

LAXMI RAJENDRA KARHADKAR Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS. Respondent(s)

(FOR ADMISSION and I.R. and IA No.129101/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.129102/2021-EXEMPTION FROM FILING O.T.)

Date : 20-10-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s)

Mr Anil V Anturkar, Sr. Adv.
Mr Amol Gatane, Adv.
Mr Abhay Anil Anturkar, Adv.
Mr Vaibhav Kulkarni, Adv.
Mr Harshvardhan Suryawanshi, Adv.
Ms Bhavya Pande, Adv.
Mr Dhruv Tank, Adv.
M/S. Dr. R.R. Deshpande And Associates, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Considering the fact that the High Court has declined to interfere as the matter was only at the stage of issuing show cause notice, no fault can be found with that approach of the High Court.

The grievance of the petitioner that the

entire action is founded on the instructions given by the Minister concerned to whom representation was made and, therefore, suffers from the vice of being initiated under dictation is also a matter which can be considered by the authority in response to such stand taken by the petitioner.

In other words, it will be open to the petitioner to raise all contentions as may be available including about the preliminary issues or objections which can be looked into by the concerned authority on its own merits and in accordance with law.

We expect the authority to record tangible reasons for rejecting or accepting the stand taken by the petitioner.

The special leave petition and pending applications shall stand disposed of.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER