

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3694 OF 2015

KOKILA RAJU CHITTE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Shri Patil Vijay B.
AGP for Respondents : Smt. Shinde V.A.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: June 30, 2015
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PER COURT :-

1. The petitioner is the mother of a daughter "X", who has performed marriage with a person from the same village by the name "Y" (Names changed). Allegation against respondent No.3 Gram Sevak is that he has performed the illegal marriage between "X" and "Y". He was charged with having committed a mis-conduct of allegedly solemnizing a marriage. Respondent No.1 compulsorily retired the third respondent by way of punishment without conducting an enquiry. It is stated that the order of compulsory retirement was passed because the third respondent purportedly admitted the charge levelled upon him.
2. Respondent No.3 preferred an appeal before the Divisional Commissioner and by the impugned judgment, dated 7.11.2012, the appeal has been allowed and the third respondent has been reinstated. The period of unemployment has been considered as a period of suspension. The second respondent preferred a Revision Petition which has been dismissed by order dated 17.4.2014.
3. The petitioner is alien to these proceedings. This petition, filed on the ground that the petitioner is the mother of "X" and hence aggrieved by the reinstatement of the third respondent, cannot be entertained.

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4. As such, without considering the merits of the impugned judgments, dated 7.11.2012 in Appeal No.20 of 2012, preferred by the third respondent and the judgment dated 17.4.2014 in Revision No.127 of 2012, preferred by the second respondent, this petition is dismissed.

5. I was inclined to impose costs of Rs.25,000/- against the petitioner. However, Shri Patil, learned Advocate pleads that the petitioner be pardoned since she was of the bonafide belief that she could present this petition. Hence no costs.

(RAVINDRA V. GHUGE, J.)

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