

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 10940 OF 2015

Shri Atique Mohammed Khan ... Petitioner

Vs

1. State of Maharashtra & Ors. ... Respondents

Mr. M.K. Irani for the Petitioner.

Mr. A.I. Patel, AGP, for the Respondent No.1 - State.

**CORAM : S.C. DHARMADHIKARI &
B.P. COLABAWALLA, JJ.**

THURSDAY, 19TH NOVEMBER, 2015

P.C. :

1. We are not inclined to interfere at this stage. The order under challenge has been passed during the course of disciplinary proceedings against the petitioner. It is stated that the matter is now posted for final arguments on 21st November, 2015. In the event the final outcome of the disciplinary proceedings is in any way adverse to the petitioner, then, while challenging the orders passed therein, it would be open for the petitioner to raise all contentions, including that

he was not granted a fair and reasonable opportunity to defend himself. He can also urge that an application to recall the victim-complainant for cross-examination has been erroneously declined. All contentions in relation to such complaints and of both sides are kept open.

2. The Writ Petition is, accordingly, disposed of.

B.P. COLABAWALLA, J.

S.C. DHARMADHIKARI, J.