

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1531 OF 2014

Manoj Kantilal Nayak	...	Petitioner
vs.		
Brihanmumbai Municipal Corporation & Ors.	...	Respondents

Mr. Sandesh Patil i/b. Mr. Anil Yadav, Advocate for the petitioner.
Ms. Shobha Ajitkumar, Advocate for respondent nos. 1 to 8.

**CORAM : SMT. VASANTI A. NAIK &
C.V. BHADANG, JJ.**
DATE : 25th February, 2015.

P.C.

By this Petition, the petitioner impugns the order of the Corporation dated 13th December, 2013 blacklisting the petitioner as a licensed plumber.

On hearing the learned counsel for the parties and on perusal of the impugned order, we find that the Hydraulic Engineer has recorded cogent reasons for rejecting the defence of the petitioner that the petitioner was not responsible for tendering the bogus receipts as a licensed plumber. It is not a case where the petitioner was not granted an opportunity before he was blacklisted. The respondent-Corporation had issued a show cause notice to the petitioner and also heard the petitioner before the impugned order was passed. The case of the

petitioner that the petitioner was not responsible for the tendering of the bogus receipts and Mr. Mahesh Pawar, the Junior Engineer was instrumental in tendering the same, was not accepted by the Corporation. It is observed in the impugned order that the acts of Mahesh Pawar and other Municipal staff are also investigated by the Competent Authority and suitable action would be taken against the erring persons after they are found guilty. Since the impugned order is passed by recording the finding of facts on the basis of the reply and the explanation tendered by the petitioner, we see no reason to interfere with the impugned order in exercise of the writ jurisdiction.

In the result, the Writ Petition fails and is dismissed, with no order as to costs.

(C.V. BHADANG, J.)

(VASANTI A. NAIK, J.)