

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

WRIT PETITION (L) NO.3515 OF 2015

The Indian Performing Right Society Limited
and another

Petitioners

versus

The Union of India and another

Respondents

Mr.Venkatesh Dhond, Senior Advocate, with Mr.Pragyan Sharma, Ms.Shyamli Hajela, Mr.Rishabh Vakharia, Mr.Rohan Kadam i/by Shekhar Menon & Co. for Petitioners.

Mr.Anil Singh, ASG, with Ms.Shehnaz V. Bharucha and Mr.D.P.Singh for Respondent no.1.

Mr.Prashant Bezboruah for respondent no.2.

Mr.Navroz Seervai, Senior Advocate, with Mr.Astad Randeria, Ms.Priyanka Khimani i/by M/s.Khimani & Associates for intervenors.

CORAM : S.C.DHARMADHIKARI AND
B.P.COLABAWALLA, JJ.

DATE : 23 December 2015

PC :

Having heard Mr.Dhond, learned Senior Advocate for the Petitioners, we do not find that at this stage the question of legality and validity of the appointment of the Inquiry Officer should be decided particularly in the light of the earlier round of litigation resulting in an order passed by this Court. In the event and when the Petitioners appear before the Inquiry Officer, if they desire to raise any issue with regard to the

legality and validity of the appointment, it is free to raise it. The adjudication or the inquiry, if in any way adverse to the interest of the Petitioners, then while challenging the final order or decision, the Petitioners can raise all contentions including on the point of jurisdiction and competence of the Inquiry Officer.

2. Keeping them open to be raised at the proper time, the writ petition is dismissed.

(S.C.DHARMADHIKARI, J.)

(B.P.COLABAWALLA, J.)

MST