

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION (st) NO.14699 OF 2015

Pramod Baban Dhiwar
Versus

...Petitioner

The Principal, Bhartiya Jain
Sanghatna College of Arts, Science
and Commerce, Bakori Phata & Ors.

...Respondents

...

None for the Petitioner.

Mr. R.D. Soni, for Respondent No.1

Mr. V.M. Mali, A.G.P. for Respondent No.4--State.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED : 4th JULY, 2016.

P. C. :

None for the Petitioner. Mr. Soni, the learned counsel appearing for Respondent Nos.1 and 2 placed on record order dated 21st July, 2015 passed by the Registrar, Judicial-I, which reads as under:

“Mr. Pramod Baban Dhiwar has filed this Writ Petition through Power of Attorney Mr. Mahendra Vishwanath Kawchale, resident of Keshav Nagar, Mundwa, Pune. Mr. Ravindra Latnekar, Advocate has sent one letter addressed to the Hon'ble the Chief Justice dated 15th June, 2015 informing that Mr. Mahendra Vishwanath Kawchale was earlier practicing as a Lawyer in the Bombay High Court without having a valid Sanad to practice. He alleged to have submitted forged degree and other documents to Bar Council of Maharashtra & Goa on 24th December, 2010 and got a

Sanad, which was latter revoked in April 2011 and his name was struck off from the roll of Advocates.

It is further pointed out by Mr. Ravindra Latnekar, Advocate that Bar Council of Maharashtra & Goa has sent intimation to all the Registrars and District Courts and High Court in September, 2011 not to entertain the Vakalatnama of Mr. Mahendra Vishwanath Kawchale or permit him to appear in any proceeding in any Court.

It is further pointed out that Mr. Mahendra Vishwanth Kawchale is still continuing the practice, but under the veil of Power of Attorney or Co-Petitioner and filing cases and argued without any relation in the subject of the Petition.

It is further pointed out that Mr. Mahendra Vishwanath Kawchale was convicted in RCC-165/2005 u/s 420, 468, 471 and 472 of IPC by JMFC, Solapur vide judgment and order dated 29th May 2015 and he was sentenced to suffer RI for three years and since the day of sentence he is absconding.

Having regard to the material brought to my notice in the letter sent by Mr. Ravindra Latnekar, Advocate, it would be better to place abovesaid letter before the Hon'ble Court. Hence office is directed to place this matter before the Hon'ble Court for direction."

2. In our view, Mr. Mahendra Vishwanath Kawchale cannot be permitted to appear on behalf of the Petitioner on the basis of power of attorney. Be that as it may, when the petition called out for admission none appeared on behalf of the Petitioner.

3. In the above circumstances, petition is dismissed for default.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)