

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

WRIT PETITION NO. 10936 OF 2016

**Vipin Mahajan and Ors. } Petitioners
 versus
The Union of India and Ors. } Respondents**

Mr. Iqbal Chagla – Senior Advocate with
Mr. R. Chagla, Mr. Prakash Shah and
Mr. Jas Sanghavi i/b. M/s. PDS Legal for
the petitioner.

Mr. Pradeep S. Jetly for the respondents.

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

DATED :- OCTOBER 10, 2016

P.C. :-

1. We have heard both sides. The writ petition impugns a show cause notice dated 31st August, 2016 issued by the second respondent. After a brief hearing, we indicated to Mr. Chagla learned senior counsel appearing for the petitioners the fact that since this writ petition is directed against a show cause notice, we are not inclined to entertain it at this stage. Mr. Chagla also, on taking instructions, states that if this court is pleased enough to stipulate an outer limit to adjudicate the show cause notice dated 31st August, 2016, the petitioners would not press the writ petition.

2. Thereafter, we heard the counsel appearing for both sides only on this limited point. Mr. Jetly submits that this show cause notice is bifurcated and is required to be adjudicated by two different adjudicating officers. Secondly, there are some other issues and on account of which, he is unable to state any outer limit or give a commitment in that behalf.

3. After hearing the counsel and considering Mr. Jetly's submission, we are of the opinion that since the show cause notice is dated 31st August, 2016 and the petitioners would be filing a reply to the same on or before 15th October, 2016, interest of justice would be served if we direct respondent no. 2 or such other adjudicating officer as is appointed, including under Circular No. 18 of 2015, to adjudicate and rule upon this show cause notice within a period of three months from the date of receipt of a copy of this order. We keep open all contentions of parties on the merits of the show cause notice.

4. With the aforesaid directions, the writ petition is disposed of.

(B.P.COLABAWALLA, J.) (S.C.DHARMADHIKARI, J.)