

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12219 OF 2016

Deepak Jivraj Jethva

...Petitioner

vs.

The State of Maharashtra and Others

...Respondents

Mr. Amol Joshi, for the Petitioner

Ms. Nisha Mehra, AGP for Respondent-State.

Mr. A.G. Kothari, for the other Respondents.

CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.

DATE : **OCTOBER 26, 2016**

PC.:

- . Parties through their counsel.
2. The learned counsel for the parties after making their submission have made a statement that since the Petitioner has now proposed the name of existing employee Mr. Baban C. Sonawane as his nominee in the Inquiry Committee, this Petition can be disposed of by directing the Management to allow Mr. Baban C. Sonawane as nominee of the Petitioner.
3. The learned counsel for Respondent Nos. 2 to 5 – Management has stated that since the delay in the inquiry is caused

due to non submission of the name of nominee by the Petitioner at least two months time be excluded which was spent in giving the name by the Petitioner of the employee who can validly represented him as his nominee. The learned counsel for the Petitioner fairly stated that the period of two months in completion of the inquiry will be excluded from the statutory period of 120 days.

4. In view of the aforesaid submission, we dispose of this Petition by directing the Management to allow Mr. Baban C. Sonawane to appear as nominee of the Petitioner. Period of two months as aforesaid be excluded for computing the period of 120 days. The inquiry shall now proceed from the stage when the Petitioner's application for nominee was earlier rejected. However, the documents which were filed by the Management before the Committee, after rejection of the Petitioner's nominee be treated to be valid submission. The Petitioner be supplied the copies of the documents if not already supplied. The Petition stands disposed of as such.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)