

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

MISC CIVIL APPLICATION NO.951/2016 (FOR REVIEW) IN
WRIT PETITION NO.2299/1999 (D)

Shaikh Bashir s/o Shaikh Rasool ..vs.. State of Maharashtra through Secretary,
Ministry of Home Affairs and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Katekar, Advocate for applicant.
Mr. Maldhure, A.G.P. for respondent nos. 1 and 2.

CORAM : B. R. GAVAI & Z. A. HAQ, JJ.
DATE : OCTOBER 21, 2016

Perusal of the judgment of the learned Sessions Court dated 16.07.1986 in Criminal Appeal No. 8/1986 would reveal that the learned appellate Court has found that the conviction as recorded by the trial Court was not sustainable. It is the specific case of the petitioner that no departmental proceedings were initiated against the petitioner but the suspension was only on account of the pendency of the criminal proceedings.

In that view of the matter, we find that case is made out for recall of the order under review.

The review application is, therefore, allowed. The judgment and order dated 27.06.2013 is recalled. Writ Petition No.2299/1999 is restored to file.

The petition be placed before the appropriate Bench as per assignment.

JUDGE

JUDGE