

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

WRIT PETITION NO.545/2016

Yashwant s/o Gopichand Ganvir

...Versus...

Union of India, through its Secretary, Ministry of Tribal Affairs, New Delhi and
another

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

Court's or Judge's orders

Shri Shashibhushan Wahane, Advocate for petitioner
S/Shri Dr. J. Verghese & J.S. Mokadam, Advocates for respondent

CORAM : SMT. VASANTI A. NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATE : 19.07.2016

By this petition, the petitioner seeks a direction to the respondent no.2 – Corporation to reimburse the legal expenses, that were incurred by the petitioner while defending the criminal prosecution, that was launched against the petitioner for possessing disproportionate assets.

We are not inclined to entertain the writ petition for considering the grant of the relief claimed. The criminal prosecution was launched against the petitioner for holding of assets, that were disproportionate to the source of the income of the petitioner as a Deputy General Manager. The petitioner was exonerated by the trial Court by the judgment, dated 25.7.2013. After the judgment was rendered in the trial that was conducted against the petitioner, the petitioner made several representations either himself or through his Counsel for reimbursing the

petitioner with a sum of three lacs and odd towards legal fees and miscellaneous expenses, that were incurred by the petitioner for defending the criminal prosecution.

We have not heard and have also never seen a writ petition, seeking the legal expenses for defending a criminal prosecution, from an employee. We do not find that the petitioner has any right whatsoever under any Act or Rule to seek the reimbursement of the expenses, that are allegedly incurred by the accused in a criminal trial.

In view of the aforesaid, we dismiss the writ petition with no order as to costs.

JUDGE

JUDGE

Wadkar

C E R T I F I C A T E

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