

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

WRIT PETITION NO.427 OF 2016

[Suresh Yadaorao Wankar .vs. State of Maharashtra and others]

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

Court's or Judge's orders

Shri I.G. Meshram, counsel for the petitioner,
Shri V.P. Maldhure, AGP for respondent no.1.

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

DATED : JULY 20, 2016.

Heard.

Only on the request made by the learned counsel for the petitioner that the cancellation of the license/permit of the petitioner to work as an attorney should not have been suspended permanently and the same ought to have been suspended for a limited period, we had requested the learned Principal District Judge, Chandrapur to modify the order of punishment so as to impose a lesser punishment on the petitioner.

Though the misconduct against the petitioner was duly proved, after examination of several witnesses, the learned Principal District and Sessions Judge, Chandrapur has favourably considered the request made by this court and has suspended the license/permit of the petitioner to act as attorney for a period of three years from 10.9.2015. By the order of the Principal District and Sessions Judge, Chandrapur dated 19.7.2016 that modifies the previous penalty, the applicant is warned that in case he indulges in the activity of the nature like the one for which he is punished, further action would be taken against the petitioner for cancellation of his license/permit permanently. The petitioner is

directed to give an undertaking after completion of period of suspension before the competent authority that he would not indulge in similar type of misconduct for which he was charged. Since we find that the charges levelled against the petitioner are duly proved and the petitioner had clearly misconducted himself while acting as an attorney of the counsel to whom he was attached, we find that the ends of justice have been met, by the order of the Principal District and Sessions Judge, Chandrapur, dated 19.7.2016, by which the punishment is modified.

We direct the petitioner to immediately furnish an undertaking to the competent authority that he would not commit any misconduct either of the nature for which he was charged or any other misconduct pertaining to his work as an attorney, within a period of 15 days, so that the petitioner would be entitled to again resume the work as an attorney from 10.9.2018.

The writ petition is disposed of after holding that the punishment of three years of suspension of license/permit of the petitioner is just and proper. Order accordingly. No costs.

JUDGE

JUDGE

C E R T I F I C A T E

“I certify that this order uploaded is a true and correct copy of original signed order.”

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