

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1884 OF 2017
IN
WRIT PETITION NO. 5849 OF 1995

Smt. Ansari Naz Mohd. Bahir Ahmed ... Applicant / Petitioner

Versus

Jadeed Anjuman E-Taleem's

Managing Council of College

Education and Ors.

... Respondents

Mr. Ankur Pahade i/b. Mr. S.R. Vishwakarma for the Applicant / Petitioner.

Mr. N.R. Bubna a/w. Mr. F.A. Wasif for Respondent Nos. 1 and 5.

Mr. Rajendra Anabhule for Respondent No. 3.

Mr. Tanaji Mhatugade a/w. Mr. Ajinkya Vdane for Respondent Nos.4, 6, 7 and 8.

Ms. Chaitrali Deshmukh i/b. Mr. Sachin Gite for Respondent No. 8.

CORAM : S.J. KATHAWALLA, J.
DATED : 1ST NOVEMBER, 2017

P.C.:

1. On 23rd December, 2016 this Court (Coram : A.A. Sayed, J.) disposed off the above Writ Petition by passing a detailed order, the operative portion of which, is reproduced hereunder :

“(i) The Respondent No.3-University shall, within eight weeks from the date on which this order is uploaded, forward a copy of the Inquiry Report of the Inquiry Committee consisting of Dr.U.B.Bhoite and Dr.J.K.Godha to the Petitioner.

(ii) The Petitioner would be at liberty to challenge the said

Inquiry Report before the appropriate forum and seek consequential reliefs, if any, as may be advised.

(iii) In the event, the Inquiry Report is not forwarded within a stipulated time, the Petitioner would be at liberty to apply for appropriate order in this Petition.

(iv) The Petition is disposed of in the aforesaid terms. All contentions are kept open.”

2. The Respondent No. 3 – University failed and neglected to comply with the direction given by this Court to forward a copy of the enquiry report to the Petitioner within a period of eight weeks from the date of the order. In fact, till date Respondent No.3 – University has not complied with the said order. In view thereof, the Petitioner has taken out the above Civil Application seeking restoration of the above Writ Petition.

3. The Advocate for Respondent No. 3 – University informs the Court that the enquiry report is not traceable. In view thereof, the order disposing of the Writ Petition is set aside and the Writ Petition is placed for hearing and final disposal on 13th December, 2017 at 03.00 p.m.

4. The above Civil Application is accordingly disposed off.

(S.J.KATHAWALLA, J.)