

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****WRIT PETITION NO. 1346 OF 2018****Kaushalya Baban Gade****..... Petitioner****VERSUS****The Designated Officer,
Kurla Janata Co-operative Credit
Society Ltd. & Anr.****..... Respondents**

Mr.Atul G.Damle, Senior Advocate, i/b. Mr.Vinayak Patil for the
Petitioner.

Mr.Vinod Sangarikar for the Complainant/Intervener.

CORAM : R.D. DHANUKA, J.**DATE : 7th FEBRUARY, 2018****P.C.**

Learned counsel for the petitioner states that the enquiry has already commenced pursuant to the order annexed at Ex.B to the petition and the petitioner is participating in the proceedings without prejudice to the rights and contentions of the petitioner that no such enquiry can be commenced under section 88 against the petitioner. The enquiry is at the evidence stage. In view of this fact, I am not inclined to interfere with this petition at this stage.

2. It is made clear that the petitioner is allowed to participate in the enquiry without prejudice to her rights and contentions.

3. The authority shall also decide the issue of maintainability of enquiry considering the fact that the husband of the petitioner was

admittedly an employee of the society.

4. Writ petition is disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]