

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO.2658 OF 2018

Shri. Mafiul Hussain PCCF (Retired)	..Petitioner
Versus	
State of Maharashtra and others	..Respondents

Mr. V. P. Sawant a/w Mr. Prabhakar M. Jadhav, Advocate for the Petitioner.

Ms. Uma Palsuledesai, AGP for the Respondent No.1 – State.

Mr. Dilip Bankar – Registrar of Maharashtra State Human Right Commission – Respondent No.2 present.

Mr. T. Singaravel – Respondent No.4 present.

**CORAM : B. R. GAVAI &
M. S. KARNIK, JJ.
DATE : 20th AUGUST, 2018**

P.C.

1] It is the contention of the Petitioner that the complaint which is entertained by the Respondent No.2 at the behest of Respondent No.4 is barred by limitation, inasmuch as it is filed beyond period of one year from the date of accrual of cause of action.

2] From perusal of the record, it would reveal that what is

challenged in the Petition is only notice issued by the Respondent No.2.

3] There is no adjudication with regard to the issue of limitation.

4] It is settled principle of law that issue of limitation is mixed question of facts and law and the same is required to be adjudicated by the authority on the basis of the material available before him. In that view of the matter, the Petition is disposed of by directing the Respondent No.2 to consider the issue of limitation and decide the same in accordance with law as expeditiously as possible.

Balaji
Govindrao
Panchal

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Balaji Govindrao
Panchal
Date: 2018.08.23
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[M. S. KARNIK, J.]

[B. R. GAVAI, J.]