

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11256 OF 2019

SOPAN RAMDAS TAYADE AND ANOTHER
VERSUS
TH UNION OF INDIA AND OTHES

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Advocate for Petitioners : Mr. Barlinge S. R.

ASG for Respondents No. 1 to 3 :

Mr. S. B. Deshpande

AGP for Respondent No. 4 : Mr. P. S. Patil

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CORAM: S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.

DATE: 13th SEPTEMBER, 2019

PER COURT:

1. Mr. Barlinge, learned counsel for the petitioners submits that the committee has exparte decided the proceedings. On 12.03.2019, petitioner no. 1 had filed reply to the vigilance report. On 09.05.2019, the petitioners had sought time, however the same was not granted and the judgment is passed on 31.07.2019.

2. Mr. Deshpande, learned ASG accepts notice for respondents no. 1 to 3. The learned A.G.P. accepts notice for respondent no. 4.

3. From the perusal of the judgment, it appears that the petitioner was given opportunity on 13.02.2019 and 09.05.2019. The matter was time bound under the orders of this Court as the petitioner no. 2 had an urgency. Certainly, it was the duty of the petitioners to avail the opportunity and remain present. It is submitted that on 12.03.2019, petitioner no. 1 has filed say to the vigilance report and on one date the petitioners have sought adjournment.

4. Considering that the matter involves the social status of the petitioners, we are inclined to grant one more opportunity to the petitioners. However, the petitioners also deserves to be mulct with costs.

5. In light of the above, we pass the following order.

6. The impugned order is quashed and set aside and the parties are relegated before the committee on condition that petitioners pay costs of

Rs.5000/-. The costs of Rs.5,000/- shall be deposited with the High Court Bar Association, Aurangabad. The petitioners shall appear before the committee on 26.09.2019 and shall work out the matter. The petitioners shall not seek any further adjournment in the matter before the committee. The committee shall after hearing the petitioners decide the proceedings expeditiously and preferably within a period of two (02) months from the date of appearance of the petitioner.

7. Writ Petition stands disposed of accordingly.

No costs.

[ANIL S. KILOR, J.] [S. V. GANGAPURWALA, J.]

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