

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3603 OF 2017

Sou. Ujwala Sanjay Tikole and anr. ... Petitioners

Versus

Vijay Jadhav and Others ... Respondents

Mr. Milind Deshmukh for the petitioners.

Mr. V.V. Purwant a/w Mr. Sachin Deokar for respondent no. 2.

Mr. Sanjeev Kadam for respondent nos. 1 and 3.

Dr. F.R. Shaikh, APP for the respondent State.

CORAM : B.P. DHARMADHIKARI &
NITIN R. BORKAR, JJ.
DATE : JANUARY 16, 2020

P.C.:

Petitioners seek departmental enquiry against respondent nos. 1 and 3 for acting in breach of the guidelines stipulated by the Hon'ble Apex Court in the case of Arnesh Kumar Versus State of Bihar and another : (2014) 8 Supreme Court Cases 273.

2. Learned counsel for respondent no.2 submits that the enquiry has already been conducted. Counsel for respondent nos. 1 and 3 does not have any specific instructions in this respect. Learned APP for respondent nos. 4 and 5 is still awaiting instructions.

3. It is apparent that if the guidelines are violated, Authorities have to proceed further in accordance with law. If the guidelines are not violated, they have to take stand accordingly. Petitioner has made representation from time to time and thereafter has approached this court as the grievance is pending since last more than two years. We therefore, direct the petitioners to appear before respondent no. 5 at Pune on 15/02/2020. That Authority shall inform the petitioners about the enquiry if already conducted or then take the decision on his request after holding enquiry within next four weeks.

4. With these directions and keeping all contentions of the parties open, we dispose of the petition.

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)