

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

WRIT PETITION NO. 3550 OF 2019

Sugandha Anand Shelar & Ors.

...Petitioners

vs.

The Apex Grievance Redressal Committee & Anr.

...Respondents

Mr.Gauraj Shah with V.A. Joshi and Umair A. Ansari i/b. Chitnis Vaithy & Co. for Petitioners.

Mr.G.W. Mattos for Respondent No.1.

Mr.Yogendra Kanchan for Respondent No.2.

CORAM : S.C. GUPTE, J.

DATE : 10 FEBRUARY 2020

P.C. :

Heard learned Counsel for the parties.

2 This writ petition challenges an order passed by Apex Grievance Redressal Committee (AGRC) on 19 August 2017 on an application of Respondent No.2 M/s.S.D. Corporation Pvt.Ltd., who was an intervener before AGRC and on whose application (Application No.87 of 2017) the impugned order came to be passed. It is apparent from the impugned order that AGRC has not even decided the intervention application of SD Corporation Pvt.Ltd.; it has simply stayed the order of 21 July 2017, when the matter was heard earlier at the instance of the Petitioners herein and was closed for orders.

3 This court, by its order dated 25 April 2017 passed on the writ petition of the SD Corporation Pvt.Ltd., had directed the Petitioners herein to file an appeal within week's time before the appropriate authority (i.e.

High Power Committee and now, AGRC) and directed the authority to dispose of the appeal within two months. This order was passed on 25 April 2017. As more than 2 and half years have passed since and we are still at a stage where an intervention application is simply being entertained by AGRC (and not even decided), this state of affairs obviously cannot continue.

3 The writ petition, accordingly, is disposed of, after hearing all the parties and by their consent in the following terms :

(I) M/s.S.D. Corporation Pvt.Ltd. (Respondent No.2 herein) is directed to be joined as party to the pending appeal filed by the Petitioners herein, namely, Application No.87 of 2017);

(II) AGRC shall hear all the parties and decide Application No.87 of 2017, as expeditiously as possible and at any rate, within three months from today;

(III) The parties shall, to that end, appear before AGRC / Chairman of AGRC on 17 February 2020 and produce an authenticated copy of this order, whereupon AGRC shall fix the schedule of hearings (including the timeline for filing of pleadings, if any) and proceed to hear and decide the application accordingly;

(IV) All rights and contentions of the parties on merits are kept open.

(S.C. GUPTE, J.)