

Urmila Ingale

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2311 OF 2021

K.Vijaya Rama Rao Petitioner
Vs.
Union of India
through Secretary Ministry of
Labour and ors. Respondents

Mr.Rajeev N. Kumar a/w Mr.Aditya Parmar, for the petitioner.
Mr.R.R.Shetty a/w Mr.Niranjan Shimpi, for the respondent
no.1.
Smt.Shehnaz (Sheroo) Vispy Bharucha (Daruwalla), for
respondents no. 2 & 3.

**CORAM : DIPANKAR DATTA, CJ &
M.S. KARNIK, J.**

DATE : SEPTEMBER 8, 2021

P.C. :

1. We have heard Mr.Kumar, learned advocate for the petitioner, Mr.Shetty, learned advocate for the respondent no.1 and Smt.Bharucha, learned advocate for the respondents 2 and 3.

2. Since the facts giving rise to the writ petition have been noted in detail in an earlier order dated March 11, 2021 while granting interim relief to the petitioner, we refrain from repeating the same here.

3. We record, having been informed by learned advocates for the parties, that examination of Prosecution Witness No.2 (hereafter "P.W.2, for short) in Special Case CBIACB/100020/2008 (the complainant based on whose complaint disciplinary proceedings have been drawn up against the petitioner) is over and that his cross examination is in progress; in fact, today is the date fixed for further cross examination of P.W.2. Since examination is complete and cross examination of P.W.2 could also be on the verge of completion, we dispose of this writ petition with the direction that as soon as the cross examination and re-examination of P.W.2, if any, is complete, the stay of the disciplinary proceedings granted by the said order dated March 11, 2021 shall stand vacated and the disciplinary authority of the petitioner shall be at liberty to resume and continue the disciplinary proceedings, and take it to its logical conclusion in accordance with law upon granting reasonable opportunity to the petitioner.

4. No costs.

5. We hope and trust that, because of disposal of the writ

petition by this order, the petitioner shall not unduly delay the cross examination of P.W.2 before the Special Court.

(M.S. KARNIK, J.)

(CHIEF JUSTICE)

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