

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

CIVIL WRIT PETITION NO.1027 OF 2022

Sunil Lahu Tarmale and Ors.

...Petitioners

Vs.

Bhiwandi Nizampur City Municipal
Corporation through its Commissioner
And Ors.

...Respondents

Mr. Mandar Limaye for the Petitioners.

Smt. M. S. Shrivastav, AGP for the Respondent-State.

**CORAM : NITIN JAMDAR &
AMIT BORKAR, JJ.**

**DATED : 2 FEBRUARY 2022.
(Through Video Conferencing)**

P. C. :

This petition is filed by the Petitioners apprehending that recovery from their salary would be made.

2. The basis of apprehension is a note which is stated to be initialed by the Commissioner. The note is handwritten with no particular whatsoever. It is not discernible which Authority has written it. It is not even on any official letterhead.

3. Be that as it may, there is nothing in the petition that would demonstrate that if the Commissioner has made a note, then without following any procedure, amount would be recovered from the Petitioners. There is also nothing in the petition to demonstrate that it is a practice adopted by this Municipal Corporation for us to presume that such action would be taken against the Petitioners. Therefore, at this stage exercise of writ jurisdiction is not warranted.

4. The Writ Petition is accordingly disposed of.

5. It is clarified that we have not commented on the legality or correctness of this noting, we have disposed of the petition because it is not necessary to be entertained at this stage.

(AMIT BORKAR, J.)

(NITIN JAMDAR, J.)