

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO.11281 OF 2022**

Sanjay Gulabchand Bafna ] ... Petitioner

Vs.

The State of Maharashtra & Ors. ] ... Respondents

...

Mr. Mutahhar Khan i/b Mr. Rajesh Gupta for the petitioner.

Mr. A.A. Alaspurkar, A.G.P. for respondent Nos.1 and 3-State.

Mr. Rhishikesh M. Pethe for respondent No.2.

...

**CORAM : R.D. DHANUKA &  
KAMAL KHATA, JJ.**

**DATED : 13<sup>TH</sup> OCTOBER, 2022.**

**P.C.:-**

1. Rule. Rule made returnable forthwith.
2. Mr. Alaspurkar, learned A.G.P. waives service for respondent Nos.1 and 3-State. Mr. Pethe, learned counsel waives service for respondent No.2.

3. Learned counsel for the petitioner does not press for prayer clause (a) of the petition, at this stage. He, however, presses prayer clause (b). He invited our attention to the order dated 29/07/2021 passed by the Division Bench of this Court in Writ Petition No.3448 of 2021 filed by the present petitioner with a grievance that his representation dated 03/11/2018 shall be decided by respondent No.1. He submitted that by the said order, respondent No.1 was directed to decide the representation of the petitioner within eight weeks from the date of passing of the said order. Respondent No.1 has not decided the said representation, till date.

2. Mr. Alaspurkar, learned A.G.P. appearing for the State does not dispute this fact.

3. In our view, respondent No.1 cannot disregard the order passed by this Court. We accordingly, direct respondent No.1 to decide the representation dated 03/11/2018 within a period of six weeks from today, without fail, in accordance with law, and shall communicate the order that would be passed by respondent No.1 to the petitioner within one week thereafter.

4. If the representation made by the petitioner is allowed, the relief sought by the petitioner in the present petition and as may be permissible in law, would be granted by respondent No.1 to the petitioner, within six weeks thereafter. If the representation

is rejected by respondent No.1, the petitioner would be at liberty to file appropriate proceedings permissible in law.

5. It is made clear that this Court has not expressed any opinion of the merits of the petitioner's representation dated 03/11/2018.

6. All contentions of both parties are kept open.

7. Writ petition is allowed in the aforesaid terms. Rule is made absolute.

8. No order as to costs.

9. Parties to act on the authenticated copy of this order.

**[KAMAL KHATA, J.]**

**[R. D. DHANUKA, J.]**