

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT NAGPUR, NAGPUR.

...

WRIT PETITION NO. 1847 OF 2022

Swapnil Nandkumar Jaswante

..Petitioner

versus

Amravati Municipal corporation
and another

..Respondents

Mr. P.P. Thakare, Advocate for Petitioner

...

CORAM: NITIN JAMDAR &
ANIL L. PANSARE, JJ

DATED : 06 APRIL 2022.

P.C. :

Heard learned Counsel for the Petitioner.

2. The Petitioner is seeking to challenge the charge-sheet issued to the Petitioner on 6 April 2021 and supplementary charge sheet issued on 25 October 2021.

3. Interference of the Court at the stage of issuance of charge-sheet is extremely limited. Learned Counsel for the Petitioner states that interference by this Court is required because the Respondent-Municipal Commissioner had no authority to issue the charge-sheet as sanction of the general body of the Corporation is required.

3. The learned Counsel for the Petitioner relies upon the decision of the Division Bench of this Court, in the case of *Prabhakar Shrirang Jagdale vs. Kalyan-Dombivli Municipal Corporation and another*¹

4. We note that the communication addressed by the Petitioner to the Commissioner on 15 November 2021 in response to supplementary charge-sheet is on merits of his defence. The learned Counsel for the Petitioner states that he had written to the Deputy Commissioner on this issue but not to the Commissioner. The learned Counsel for the Petitioner states that the Petitioner will bring to the notice of the Municipal Commissioner the grounds taken in this petition and depending on the action taken by the Commissioner, will take further steps.

5. In light of the above, the writ petition is disposed of.

[ANIL L. PANSARE,J.]

[NITIN JAMDAR,J.]

sahare

1 2003(4) Mh.L.J. 423