

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11225 OF 2024

ALONGWITH

WRIT PETITION NO. 11228 OF 2024

ALONGWITH

WRIT PETITION NO. 11227 OF 2024

ALONGWITH

WRIT PETITION NO. 11230 OF 2024

Eknath Jairam Barshinge

..... Petitioner

VERSUS

The Charity Commissioner & Anr.

..... Respondents

Mr.Gaurav Bandiwadekar for the Petitioner in all Writ Petitions.

Mrs. M. S. Srivastava, A.G.P. for the State in WP/11225/2024 and WP/11228/2024.

Mr. N. K. Rajpurohit, A.G.P. for the State in WP/11227/2024 and WP/11230/2024.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 16th AUGUST, 2024

P.C. :-

The challenge raised in these writ petitions is to the common judgment dated 14th June, 2023 passed by the Maharashtra Administrative Tribunal in Original Application Nos.

1064 to 1067 of 2016. By that judgment, the said Original Applications came to be dismissed.

2. The learned counsel for the petitioner invited our attention to the order dated 8th July 2021 passed in the present Original Applications wherein it was pointed out that in the aforesaid proceedings, challenge was to the appointment of the Enquiry Officer. During the pendency of those proceedings, the enquiry was completed and punishment orders came to be passed. The punishment orders were the subject matter of the challenge in Original Application Nos. 1122 of 2019, 1123 of 2019, 1124 of 2019, 1128 of 2019 and 1127 of 2019. Hence, the Tribunal directed all the Original Applications of the year 2016 and 2019 to be heard together. Accordingly, on 28th April 2023, 12th June 2023 and 13th June 2023 these Original Applications were considered together as per the orders passed on the respective dates. It is petitioner's grievance that despite these orders, only Original Application Nos. 1064 to 1067 of 2016 were decided on 14th June 2023, while Original Application Nos. 1122 of 2019,

1123 of 2019, 1124 of 2019, 1128 of 2019 and 1127 of 2019 have not been decided.

3. *Prima facie*, on the consideration of the orders dated 8th July 2021, 28th April 2023, 12th June 2023 and 13th June 2023 that was passed in all the Original Applications, it transpires that the Original Applications challenging the punishment order were to be heard and decided along with the Original Applications challenging the appointment of the Enquiry Officer.

4. In the aforesaid facts, the petitioner seeks leave to move the Maharashtra Administrative Tribunal for seeking review of the judgment dated 14th June 2023 on this ground. Leave granted

5. Stand over to 11th October 2024 with liberty to apply in case of any contingency.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]