

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

WRIT PETITION NO. 13662 OF 2024

Abdul Nafe Abdul Rahim Khan ... Petitioner

versus

State of Maharashtra and Others ... Respondents

...

Mr.R.K.Mendadkar for the Petitioner.

Mr.V.M.Mali, AGP and Ms.Kavita N. Solunke, AGP for
Respondent Nos. 1 and 2.

...

**CORAM : RAVINDRA V. GHUGE
&
ASHWIN D. BHOBE, JJ.**

DATE :- 11TH NOVEMBER, 2024

PC:-

1. As the hearing in this matter progressed to some extent, a controversy arose as regards the genealogy tree, a copy of which is tendered to the Court by the learned Advocate for the Petitioner, making a solemn statement that this genealogy tree is a part of the record and proceedings before the Committee. For identification, we are marking the sheet tendered to the Court by Mr.Mendadkar, as 'X-1'.

2. The learned AGP, on the basis of the record and proceedings, submits that 'X-1' tendered to the Court by the learned Advocate for the Petitioner, is not a part of the record and proceedings before the Committee.

3. Considering the seriously disputed issue as noted above, we direct the Petitioner to file a specific affidavit as to when 'X-1' was filed before the Committee and whether it was accompanied which an affidavit. Let such affidavit be filed, on or before 16th November, 2024.

4. List this Petition on 20th November, 2024 in the same category.

5. We make it clear that if the statement of the Petitioner turns out to be factually incorrect and if we draw a conclusion that the Petitioner has made an attempt to mislead the Court, we would pass a strict order including imposition of heavy cost and dismiss the Petition. If we find that the record and proceedings of the Committee are not complete and the Petitioner makes out a case of the particular document (X-1)

missing from the record and proceedings, we would deal with the Committee in the same manner.

6. Ad-interim relief granted earlier to continue till the next date.

(ASHWIN D. BHOBE, J.) (RAVINDRA V. GHUGE, J.)