

Before : Sachin B. Bhansali,
Prothonotary & Senior Master
Date : 23rd October, 2024

FOR HEARING AND FINAL DISPOSAL :

17 CHOL/333/2024) Ms. Tahjeen Khan, Advocate for the applicant.
in)
WPL/32856/2022) P.C.: Pursuant to Order dated 22.10.2024 office
) placed record and proceedings of Writ Petition
) (L) No. 32856/2022 for my perusal.
)
) Perused present Chamber Order, Affidavit in
) Support of Chamber Order and Additional
) Affidavit in Support, by which the petitioner
) attempted to explain 90 days delay caused in
) filing present Chamber Order.
)
) Office has drawn my attention towards office
) objections raised by the ld. Scrutiny Officer,
) more particularly, objection no. 34, which is
) reproduced as under :
)
) “Memo of petition not signed by the
) petitioner”.
)
) The ld. Advocate appearing for the petitioner
) invited my attention towards para no. 3 of
) Affidavit in Support of Chamber Order dated
) 15.06.2024, which is reproduced hereunder :
)
) “3. I say that the junior in charge
) for removal of objections i.e. Adv.
) Tejashree Navghan along with one
) clerk had complied with all office
) objections however, despite the
) same, the petition was rejected.
) That I was shocked and surprised
) to know the same as the matter
) was listed multiple times before
) Hon’ble Justice G. S. Patel and
) Justice Neela Kedar Gokhale.
) However, on account of change of
) assignment, the matter was
) circulated again by my advocates
) on 08/02/2024 before Hon’ble

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contd....)
 CHOL/333/2024)
 in)
 WPL/32856/2022)

Justice Nitin Jamdar and Hon'ble
Justice M. M. Sathaye.
Thereafter, the matter came to be
listed on 20/03/2024. That my
advocates also confronted the
aforementioned junior and clerk
via email dated 26/03/2024 who
were assigned with the said work
for removal of office objections
and even they admitted of fully
complying with the same via
email dated 27/03/2024. I shall
crave leave to rely on the same as
and when necessary."

To my surprise it is to be noted that signature
of the petitioner, at the end of petition at page
no. 28, appears to be coloured photocopy.
However, at the bottom of page no. 27 counter
signature of ld. Advocate, who signed the
petition, appears to be original; whereas on
the overleaf of said paid i.e. at page no. 28 as
stated above, signature of the petitioner
appears to be coloured photocopy. Page no. 29
is the verification of the petition. It is signed
by the petitioner as stated by ld. Advocate for
the petitioner, which is notarized by and
before the Notary namely Udai Prakash, who
also affixed his red seal/notary seal and stamp
with rubber seal. It is notarized at sr. no.
16581 on 08.10.2022.

Perusal of Vakalatnama shows that Advocates
on record, who signed Vakalatnama, are as
under :

- (i) Mrs. Komal Bhatia
 (MAH/ --)
(ii) Ms. Tahzeen M. Khan
 (MAH/4716/2015)
(iii) Mrs. Anita Singh
 (MAH/4716/2015)
(iv) Mr. Avinash Reddy
 (MAH/3076/2015)

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contd....)
CHOL/333/2024)
in)
WPL/32856/2022)

(v)Ms. Tejashree Navghan
(MAH/11378/2021)

) In all five Advocates including Advocate
) Tejashree Navghan, registered with Bar
) Council and Goa having registration no.
) MAH/11378/21 also signed the Vakalatnama.
) The Scrutiny Officer had raised office
) objection on 31.10.2022 and since then, the
) petition is pending for compliance of office
) objections including office objection at sr. no.
) 34 as aforesaid.

) Considering very seriousness of the matter it is
) nothing but prima facie fraud which is being
) played upon this Hon'ble Court by the
) petitioner for not signing the petition, and
) annexing coloured photocopy of signature of
) the petitioner at page no. 28 to the petition, is
) something very serious and needs to be dealt
) with in accordance with law..

) In view of above, I deem it fit to issue notice to
) the Advocates on record, who have signed
) Vakalatnama dated 13.10.2022 calling
) explanation, as to why action should not be
) initiated against them for breach of trust,
) fraud played upon this Hon'ble Court,
) cheating, misconduct on their part in not
) following rules and regulations, which were
) /are required to be followed by them an
) officers of this Hon'ble Court.

) Office to take follow up action.

) Hence, stand over to 22.11.2024 for
) explanation of Advocates on record for the
) petitioner, failing which it would be deemed
) that Advocates on record do not want to give
) their explanation of the notice/memo, which
) will be issued by the office.

Date : 23.10.2024

Prothonotary and Senior Master

RAJEEV
VIJAY
ACHARYA
Digitally signed
by RAJEEV
VIJAY ACHARYA
Date:
2024.10.25
18:40:02 +0530