IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3748 OF 2023

UDAY SHIVAJI JAGTAP
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Date: 2026.10.09 16:37:03 +0530

Sanjay Shivajirao Bhosale … Petitioner

Vs.

Kolhapur Municipal Corporation, Thr. Commissioner and Ors. … Respondents

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Mr. Drupad S. Patil (Through VC) a/w Rugwed R. Kinkar, Vijay Mahajan for the Petitioner
Mr. Sagar A. Mane a/w Rushikesh D. Jagdale, Neha Farkate for the Respondents

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CORAM : SHAILESH P. BRAHME, J.

DATE : 8th OCTOBER, 2026.

P. C. :

. Heard both sides extensively.

2. On previous occasion, the matter was adjourned so as to unable learned counsel Mr. Sagar Mane appearing for the respondent – Corporation to take instructions as to the purport of the show-cause notice dated 03.08.2021 and the future course of action.

3. Today, learned counsel Mr. Sagar Mane tenders on record instructions given by the Corporation viz. copy of letter dated 17.08.2026 addressed to him by the Corporation, which is taken on record. It is clarified by the Corporation that notice dated 03.08.2021 is a show-cause

notice, which would not in itself a stage of a disciplinary action. If the notice is replied and the explanation is found to be satisfactory, no further action would be taken and if the explanation is not convincing, then disciplinary action would be taken by constituting the regular inquiry. It is further clarified that no decision as such for taking disciplinary action against the petitioner has been taken.

4. It is further clarified by learned counsel Mr. Sagar Mane that opportunity would be given to the petitioner to reply the show-cause notice and thereafter the Corporation would decide as to whether to proceed further or not. It is further clarified that no penalty would be imposed without following due procedure of law and conducting inquiry although the wording of the notice dated 03.08.2021 is confusing.

5. Learned counsel Mr. Drupad Patil appearing for the petitioner, on instructions from his client who is present today before the Court, has shown readiness to reply the notice.

6. The Writ Petition can be disposed of by permitting the petitioner to reply notice within stipulated period and granting liberty to the respondent – Corporation to consider the reply and thereafter take further decision so as to proceed against the petitioner or not by constituting the Committee as is permissible by law.

7. The Writ Petition is disposed of with a clarification that petitioner is at liberty to tender reply to the show-cause notice dated 03.08.2021 within a period of three (03) weeks from today.

8. The respondent – Corporation shall consider the reply and decide the future course of action. It is made clear that no penalty shall be imposed without following due process of law. The parties shall be at liberty to approach the trial Court for disposing of the suit in view of today's minutes of order.

(SHAILESH P. BRAHME, J.)