

Salgaonkar

MANDIRA MILIND
SALGAONKAR

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SALGAONKAR
DN: cn=MANDIRA SALGAONKAR, o=

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.15816 OF 2024

IN

WRIT PETITION NO.8899 OF 2021

Sou.Kalpana Suraj Jagtap

.. Applicant/
Petitioner

Versus

The State of Maharashtra through
Principal Secretary, Home Dept. &
Ors.

.. Respondents

...

Mr.Rajeshwar G. Panchal with Mr.Sarang D.Gundajwar,
Mr.Mohan Rawal and Mr.Vivekanand G. Panchal for the
Petitioner.

Ms.S.D.Vyas, Addl.G.P. with Mr.K.S.Thorat, 'B' Panel Counsel
and Mr.S.P.Kamble, A.G.P. for the Respondent/State.

Mr.Shrivallabh Panchpor for the Respondent No.2.

Ms.Pratibha J. Gavhane for the Respondent No.3.

**CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.**

DATE : 25th MARCH, 2026

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P.C:-

1. The precise grievance of the Petitioner now, after we passed the earlier order on 16/03/2026, directing the enquiry initiated against her to be completed in a time-bound manner and we directed listing of the Petition for consideration of the

remaining relief i.e. the challenge being raised to the second Enquiry Report by the Committee constituted for enquiring into the allegations of sexual harassment, we have noted that pursuant to the complaint of the Petitioner preferred on 09/08/2010, the Committee was constituted under the Vishakha Guidelines and the first report was submitted on 15/03/2011, thereby finding Respondent No.3 guilty, but according to the learned counsel for the Petitioner, by giving a go-bye to the said report and the process that was carried out, rendering a clear-cut finding in report of 15/03/2011, a fresh committee was constituted and this is done with reference to the representation of Respondent No.3 raising certain objections.

This objection is annexed alongwith the reply affidavit filed by Respondent No.3 at Exh.13.

From the second Enquiry Report, which is objected to by the Petitioner, it appears that pursuant to the representation of Respondent No.3 dated 28/02/2011, an order was issued on 18/06/2012 reconstituting the Committee and this Committee conducted an enquiry and submitted the second report.

2. The grievance of the Petitioner is that it was not permissible to constitute the Committee, when the first Committee had already conducted an enquiry and submitted its report to the Chief Executive Officer and it is also his contention that the Petitioner was unaware that the first enquiry is closed and the second enquiry is going on, with the change in composition of the Enquiry Committee.

In this background, it is necessary for us to peruse the order dated 18/06/2012 and alongwith the said order, we also expect the counsel for Respondent No.2 to present before us the proceedings of the second Enquiry Committee, as we are interested in knowing the composition of the members alongwith their designations.

3. Re-notify to **16/04/2026**. To be listed on the Supplementary Board.

(MANJUSHA DESHPANDE, J.)

(BHARATI DANGRE, J.)