



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

WRIT PETITION NO.16943 OF 2025

The State of Maharashtra	... Petitioner
Versus	
Mahesh Namdeo Chaudhary	 Respondent

**WITH
WRIT PETITION NO.16944 OF 2025**

The State of Maharashtra	... Petitioner
Versus	
Anand Bhaurao Pawar	 Respondent

**WITH
WRIT PETITION NO.16945 OF 2025**

The State of Maharashtra	... Petitioner
Versus	
Sandeep Shivaji Deore	 Respondent

Mr. B. V. Samant, Addl.G.P. a/w Smt. P. M. J. Deshpande, AGP, for the Petitioner-State.

Adv. Pushpa Ganediwala a/w Adv. Pradyumna Agrawal i/b. Adv. Anshu Agrawal, for the Respondent in WP/16943/2025.

Adv. Ashwin R. Kapadnis a/w Adv. Rutvi Ovhal, for the Respondent in WP/16945/2025.

Mr. Sushil Suresh More, Assistant Section Officer and Mr. Abhay Jage, Senior Law Officer, Food & Drug Administration, Mumbai are present in Court.

**CORAM : M. S. KARNIK &
S. M. MODAK, JJ.**

DATE : 27th JANUARY, 2026

P.C. :

1. We have heard learned counsel for the parties at some length. However, during the course of the arguments, it was revealed that some issues which were raised in the Original Applications and which were relevant for a decision have not been dealt with by the Tribunal.

2. Learned counsel for the parties on instructions of the Respondents submitted that the Original Applications could be remitted to the Tribunal for a fresh decision on its own merits.

3. Even according to us in the facts and circumstances of the present case and having regard to the contentions raised by the parties which need to be addressed on merits by the Tribunal, the impugned order needs to be set aside.

4. The impugned order is set aside. The matter is remitted to the Tribunal (Member – J.) for a fresh decision in accordance with law. Since one of the Respondent - Mahesh Namdeo Chaudhary is retiring by 30th June 2026, hence, taking an overall view of the matter, and in the interest of justice, we request the Tribunal to decide the Original Applications within a period of three weeks from 30th January 2026. The parties undertake to

appear before the Tribunal on 30th January 2026 along with a copy of this order.

5. Keeping all contentions open, the Writ Petitions are disposed of.

6. Learned AGP on instructions submits that if the necessary documents/certificates are submitted by the Respondents, the subsistence allowance which is due and payable to the Respondents will be paid within a period of one week from today.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)