

7.4.2016

Smt. Shobha Menon, Senior counsel with Shri Rahul Choubey, Advocate for the appellant.

Shri Brahmhatt Singh, Government Advocate for the respondents/State.

Prima facie, we find force in the argument of the appellant that learned Single Judge has not only reiterated the view expressed on the earlier occasion, but, has committed manifest error by not considering the specific plea taken by the appellant in paragraph Nos.5.15, 5.16 and 5.18 of the concerned writ petition. Admittedly, no reply was filed by the respondents to controvert the averments so made. If so, it necessarily follows that the entire proceedings before the Committee stood vitiated because of inappropriate procedure followed by the Committee.

Realizing this position, counsel for the State prays for time to file reply affidavit dealing with all the relevant averments in the concerned writ petition.

That be filed on or before 22.4.2016.

Rejoinder, if any, before 27.4.2016.

List on **29.4.2016**.

No coercive action be taken against the appellant

on the basis of impugned decision of the Committee till the next date.

(A. M. Khanwilkar)
Chief Justice

(Sanjay Yadav)
Judge

*Khan**