



Salgaonkar

**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

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

...

Mr.Rajeshwar G. Panchal with Mr.Sarang S. Gundajwar for the  
Petitioner.

Ms.S.S.Prabhune, AGP for the State/Respondent.

Mr.S.S.Panchpor for the Respondent No.2.

Mr.P.J.Gavhane for the Respondent No.3.

**CORAM: BHARATI DANGRE &  
MANJUSHA DESHPANDE, JJ.****DATE : 16<sup>th</sup> FEBRUARY, 2026**

...

**P.C:-**

1. Since the Petitioner is subjected to an enquiry by issuance of a charge-sheet on the ground of her continuous absence, the stand adopted by the Petitioner is, that because she had clearly expressed that she did not intend to join at a place, where the person against whom she had made a complaint about harassment at workplace, she did not resume



her duty. It is the specific contention of the counsel for the Petitioner that she made repeated request to permit her to join, but he also categorically admit that till today, she is not on duty i.e. almost from 2012 till 2026.

We are also surprised to note that though a charge-sheet is issued to her for conduct of an enquiry in 2016, the enquiry has also not progressed.

2. On hearing the matter at some length of time, we deem it appropriate to direct the counsel representing the Maritime Board to place on record the status of Respondent No.3, as it is her specific contention that at the time when the In-house enquiry under Vishakha Guidelines was being undertaken on the complaint of the Petitioner, he was already posted at some other place.

We expect this statement to be made on affidavit, with regard to any communication addressed to the Petitioner directing her to resume her duties.

Let this affidavit be filed within a period of two weeks from today.

3. List on **9<sup>th</sup> March, 2026.**

**(MANJUSHA DESHPANDE, J.)**

**(BHARATI DANGRE, J.)**