

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).20416/2008

(From the judgement and order dated 23/07/2008 in WP No. 1107/2008 of The HIGH COURT OF BOMBAY)

KPMG INDIA PRIVATE LIMITED & ANR.

Petitioner(s)

VERSUS

MAHARASHTRA STATE COMMN.FOR WOMEN & ORS.

Respondent(s)

(With appln(s) for PERMISSION TO FILE LENGTHY LIST OF DATES and prayer for interim relief )

WITH SLP(C) NO. 21687 of 2008

(With appln.(s) for permission to file lengthy list of dates and permission to file additional documents and office report)

Date: 06/04/2009 These Petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.V. RAVEENDRAN  
HON'BLE MR. JUSTICE P. SATHASIVAM

For Petitioner(s) Ms. Indu Malhotra, Sr. Adv.  
Mr. Cirabakanan, Adv.  
Mr. N. Ganpathy, Adv.

For Respondent(s) Mr. Sanjay V. Kharde, Adv.  
Ms. Asha Gopalan Nair ,Adv

Mr. Colin Gonsalves, Sr. Adv.  
Mr. Garvesh Kabra ,Adv  
Ms. Gayatri, Adv.

Mr. B.A. Desai, Sr. Adv.  
Mr. Dattatray Vyas, Adv.  
Mr. Manish Sharma, Adv.  
Mr. Chirag M Shroff, Adv.

UPON hearing counsel the Court made the following  
ORDER

SLP(C) NO.20416/2008

This matter relates to a sexual harassment complaint at work place by the fifth respondent. The petitioner filed .....2.

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ITEM NO.77 COURT NO.5 DATED 06/04/2009 .....contd.

a writ petition challenging the jurisdiction of the Sub-Committee constituted by the Maharashtra State Commission for Women ('MSCW' for short) contending inter alia that its members (respondents 2 to 4) were biased and prejudged the issue. The High Court, while issuing

rule in the writ petition filed by the petitioner-Company, refused to stay the hearing before the Complaint Committee of MSCW on the ground that prima facie case was not made out. Feeling aggrieved, the petitioner has approached this Court.

On 29.8.2008, we directed that the Complaints Committee of MSCW will not proceed in the matter till further orders. On 8.9.2008, while issuing notice on the SLP, we directed the interim order already granted to continue, on finding that a prima facie case was in fact made out.

When the matter came up today, learned counsel for the fifth respondent submitted that as the matter arose from refusal of interim order, to avoid any delay, the matter may be disposed of with a direction to the High Court to decide the writ petition expeditiously. We find that on the facts and circumstances, the said request is reasonable.

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.....3.

ITEM NO.77 COURT NO.5 DATED 06/04/2009 .....contd.

We, accordingly, dispose of this SLP requesting the High Court to endeavour to dispose of the pending writ petition (W.P.No.1107/2008) expeditiously preferably within a period of six months. The interim direction which we have issued shall continue till the High Court finally disposes of the pending writ petition. All contentions are left open.

SLP(C) No. 21687/2008

Aggrieved by an interim order dated 23.7.2008 in writ petition filed by the first respondent(W.P.No.963/2008), the petitioner has filed this SLP. For the reasons mentioned while disposing of SLP(C) NO.20416/2008, we dispose of this SLP also with a request to the High Court to dispose of W.P.No.963/2008 filed by the first

respondent expeditiously alongwith the writ petition of the petitioner (W.P. No.1107/2008). Interim order already granted in the SLP shall continue until such disposal of the writ petition. All contentions are left open.

( Ravi P. Verma )  
Court Master

( Anand Singh )  
Assistant Registrar