



## MAHARASHTRA STATE HUMAN RIGHTS COMMISSION

9, Hajarimal Somani Marg, Opp. Chhatrapati Shivaji Terminus (VT), Mumbai - 400 001  
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SHRC/VGM/04/2010/ 1092

Date: 27 April 2010

### Review Application 8/2009-10 in Case No. – 1356/2006-07

Name of the complainant : Kisan Sriram Gholap  
Sanjay Gandhi Nagar,  
T H Kathariya Marg,  
Matunga, Mumbai – 19

Vs.

The Commissioner  
Brihan Mumbai Municipal Corporation  
Mumbai

Date : 20 April 2010

Coram : **Justice V G Munshi, Member**

## ORDER

Read the case papers. Heard the complainant.

2. Read the order dated 23.06.2008 passed in Case No. 1356/2006-07. This case was decided on merits after passing speaking order.
3. Read the order dated 13.08.2009 passed in earlier Review Application No. 1/2008-09 in Case No. 1356/2006-07 and it was rejected after holding that there was no reason to review the order passed in Case No. 1356/2006-07. Thus, first Review Application No. 1/2008-09 was disposed of by passing order on its merits.
4. The complainant again did file second Review Application No. 8/2009-10 on similar grounds. Once first Review Application 1/2008-09 is decided on its own merits, present second Review Application 8/2009-10 on some grounds is not at all



maintainable. The Commission cannot decide the same matter again and again. If the complainant feels aggrieved, then he has to challenge the same before proper forum and he has to avail proper remedy if any available under law. Therefore, present Review Application No. 8/2009-10 is disposed of accordingly for the same reasons.

5. The complainant has knocked the doors of the Commission with a case that he was falsely implicated in criminal case/ cases. According to him he did not commit any offence. In meantime he lost his service. His financial condition is bad and he is leading miserable life. According to him he was acquitted in criminal case. The complainant wants that his Employer should re-consider all these facts and should take him in service and should give him another chance to improve himself and to settle in life. In other words, according to the complainant the Employer should sympathetically consider his case.

6. The Commission is also of the opinion that the case of the complainant needs to be examined and considered sympathetically and another chance needs to be given to the complainant to settle in life.

7. **Therefore, the competent Authority of Bombay Municipal Corporation, Mumbai to re-examine and re-consider the case of the complainant in the light of observations made above and thus give him another chance to settle in life.**

8. The Commission hopes and trusts that the competent Authority would consider the case of the complainant sympathetically. The competent Authority to examine all the papers submitted by the complainant, give him sufficient chance of hearing and to take decision according to natural justice.

9. The copy of this complaint be sent to Commissioner, Bombay Municipal Corporation for information and necessary action.

10. The copy of this order be sent to Secretary through State Human Rights Commission.

With these observations Review Application No. 8/2009-10 in Case No. 1356/2006-07 is disposed of accordingly.

**The Secretary to communicate this order to the parties concerned.**



Sd/-  
(Justice V G Munshi)  
Member, SHRC

