

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 359 OF 2015

JITENDRA SUBHASH WANI
VERSUS
THE STATE OF MAHARASHTRA AN

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Advocate for Petitioner : Mr. Bora Satyajit S.
APP for Respondents: Mr. A.G. Magre

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**CORAM : S. V. GANGAPURWALA AND
V. K. JADHAV, JJ.**

DATED : 11th DECEMBER, 2015

P.C. :-

1. This Court vide order dated 28.8.2015 had issued show cause notices to one Mr. Jintendra Subhasn Wani and also to Mr. Sukdevsingh Mohindersing, Director, Rajmudra Real Estate private Limited, as to why appropriate action should not be taken against them for not disclosing true facts and suppressing the material facts, which had direct bearing on the subject matter of petition. Pursuant to the said order passed, Mr. Jitendra Subhash Wani and Mr. Sukdevsingh Mohindersing are present before the court. They have filed their affidavits. They are represented and identified by the their advocate Mr. Bora.

2. Mr. Bora, the learned counsel submits that Jitendra Wani was

appointed as legal Advisor only in the month of January, 2015 as he was not aware of the previous proceedings and as such could not narrate about the said proceeding in the petition. As far as the director is concerned, it is submitted that the said Director had not sworn in and had not given any instructions.

3. Be that as it may, the fact about earlier complaint and the proceeding were required to be stated in the petition and non disclosure of the same amounts to suppression. Thus it appears that the petitioner has not approached the court with clean hands.

4. The said persons have tendered their unconditional apology and requested that the petition be allowed to be withdrawn.

5. We accept the unconditional apology tendered by Mr. Jitender Subhash Wani and Mr. Sukdevsing Mohindersing. They shall see to it that the suppression is not repeated further. Considering the unconditional apology given by them, we drop the said show cause notice. The writ petition is dismissed as withdrawn. No costs.

(V. K. JADHAV, J.)

(S. V. GANGAPURWALA, J.)

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