

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1292 OF 2015

MR. BADSHAH FATARU PATEL
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

.....

Advocate for Petitioner : Mr. Abhay Ostwal h/f Mr. Abhaysinh K. Bhosale
APP for Respondents : Mr. M. M. Nerlekar

.....

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

DATED : 26th NOVEMBER, 2015

P.C. :-

1. We have heard Mr. Ostwal, learned counsel for the petitioner. Various prayers are made in the present writ petition regarding investigation not being made etc. During the course of arguments, Mr. Ostwal, learned counsel states that as per order dated 8th May, 2015 of the Deputy Secretary, sanction to prosecute one Smt. Jayashree Ravan Sonkawade is refused. According to the learned counsel, petitioner is the complainant and trap as against the said person of accepting bribe is successfully conducted. In an application made under the Right to Information Act, information has been given that as yet, sanction is not granted for filing the case. According to the learned counsel, even the copy of the order refusing sanction has not been provided to the petitioner.

2. In case sanction is refused, the petitioner may assail the said order as may be permissible. However, the petitioner is not being provided with any information in that regard. On perusal of order dated 08th May, 2015 (Exh. "C") it states that sanction to prosecute said person Smt. Jaishree Ravan Sonkawade is refused. The respondent authority shall supply copy of the said order refusing sanction to prosecute Smt. Jaishree Ravan Sonkawade to the petitioner as expeditiously as possible and preferably within a period of one month on payment of necessary fees by the petitioner. On receipt of copy of the said order, the petitioner may take such further steps as may be permissible in law.

3. The writ petition is disposed of. All contentions are kept open.

(V. K. JADHAV, J.)

(S. V. GANGAPURWALA, J.)

vrel/