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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION (St.) No. 42 OF 2015

Aseem Trivedi & Ors. ... Petitioners
Vs.
The State of Maharashtra ... Respondents

WITH
PUBLIC INTEREST LITIGATION (St.) No. 41 OF 2015

Narendra Vasudeo Sharma ... Petitioner
Vs.
The State of Maharashtra & Anr. ... Respondents

WITH
CRIMINAL APPLICATION No. 24 OF 2015
IN
PUBLIC INTEREST LITIGATION (St.) No. 41 OF 2015

Ganesh @ Bhau Vasant Toreskar ... Applicant
Vs.
State of Maharashtra & Anr. ... Respondents

Mr. Mihir Desai, Sr. Counsel for the Petitioner in CRPILL. 42/2015.
Mr. J. Shekhar i/b J. Shekhar & Co. for the Petitioner in CRPILL
41/2015.

Mr. Srihari Aaney, Advocate General a/w Mrs. U. V. Kejriwal, APP for
Respondent – State.

Mr. Ganesh Sovani, for the Applicant / Intervenor in Cr. Appln. No.
124/2015.

CORAM : V. M. KANADE, &
Dr. SHALINI PHANSALKAR-JOSHI, JJ.

DATE : OCTOBER 27, 2015

PC.

1. Mr. Srihari Aaney, learned Advocate General has submitted that the Hon'ble Chief Minister has already taken a decision to withdraw the impugned circular and the said decision will be in the form of a government resolution. Since this circular has now been withdrawn by the State Government, both the PILs have become infructuous. In view of this, the issue regarding challenge of the said circular has become infructuous, we are of the view that both PILs will have to be disposed of.

2. We are informed that there are certain other issues, which have been raised, and a liberty is sought to raise those issues in appropriate proceedings. The other issues which have been raised in these PILs are kept open and liberty is granted to agitate those issues in the appropriate proceedings, in accordance with law. Both the PILs are accordingly disposed of in the aforesaid terms.

3. In view of disposal of both the PILs, intervention application, viz. Criminal Application No. 24 of 2015 does not survive and is accordingly disposed of.

[Dr. SHALINI PHANSALKAR-JOSHI, J.]

[V. M. KANADE, J.]

Vinayak Halemath