

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

**WRIT PETITION NO.7127 OF 2011****Smt.Chhaya W/o Bhausahab Nisargandh and another Vs. The State of Maharashtra and others.**

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| Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's orders |
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Mr.P.K.Ippar, advocate holding for Mr.S.J.Salunke, advocate for the Petitioners.  
Ms.S.S.Raut, A.G.P for the State.

**CORAM : S.V.GANGAPURWALA AND K.K.SONAWANE, JJ.**  
**Date : 14.06.2016.**

**PER COURT :**

1. Heard.
2. The petitioners impugn the notice (Exh.H) issued by the Tahsildar, directing the petitioners to remain present for hearing. According to the learned counsel for the petitioners, the Tahsildar does not have the jurisdiction to inquire about the allegations of extortion.
3. Learned A.G.P. states that for maintaining law and order, the Tahsildar has the powers to make inquiry, so also the Tahsildar can set the law into motion by asking the Police authorities to register the FIR.

4. The notice to the petitioners is issued for hearing on the basis of a complaint (Exh.F) of extortion. Naturally, the Tahsildar would not be in a position to make investigation or inquiry with regard to the same.

5. Any person can set law into motion and give information to the Police authorities in respect of a cognizable offence. However, the present Writ Petition is restricted to the notice issued for hearing by the Tahsildar on the basis of a complaint of extortion. The Tahsildar, certainly could not have issued notice (Exh.H) for the said purpose.

6. In light of the above, the impugned notice (Exh.H) is quashed and set aside.

7. Rule accordingly made absolute in above terms. No costs.

**( K . K . SONAWANE , J . )**

**( S . V . GANGAPURWALA , J . )**

Dt.14.06.2016.  
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