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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.10037/2015

Shakuntala w/o Pralhad Kadam.

...Petitioner..

Versus

The State of Maharashtra & others.

...Respondents...

.....

Shri R.J. Nirmal, Advocate for petitioner.

Shri V.S. Badak, AGP for respondent nos.1 to 3.

Shri K.B. Jadhav. Advocate for respondent no.5.

Shri Amit Shete, Advocate for respondent no.6.

Shri Sachin Deshmukh, Advocate for respondent no.7.

Shri S.B. Bhapkar, Advocate for respondent no.8.

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**CORAM: S.V. GANGAPURWALA &
K.L. WADANE, JJ.**

DATE: 24.08.2016

ORDER :

1] It is submitted that the FIR has been filed against respondent no.8 and other persons. Shri R.J. Nirmal, learned counsel for the petitioner submits that even offence is registered against them. The learned counsel submits that grievance of the petitioner stands redressed.

2] Vide order dated 25.7.2016, we had issued show cause

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notice to Mr.Bhagatsing Pratapsing Kushwah, Manager, Parbhani District Central Cooperative Bank Ltd., Parbhani, as to why action should not be taken against him for making mis-statement in the complaint filed before the Police Station stating that this Court had directed him to file the complaint.

3] This Court had never issued any directions against the said person to file a criminal case. In fact, this Court had only enquired with the respondent no.6 as to whether he intends to implement the directions of the respondent no.2 or not. The statement narrated in the complaint filed before the Police Station that this Court had directed him to file the complaint, was certainly against the facts on record and erroneous.

4] The affidavit is filed by said person Mr.Bhagatsing Pratapsing Kushwah, who is present in the Court and states that the same is by mistake. The said person has tendered unconditional apology. The said apology is accepted with an admonition that henceforth no such act shall be repeated. The said person Mr.Bhagatsing Pratapsing Kushwah shall also clarify with the Police Station that the lodging of complaint was not at the

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directions of the Court. The said clarification be made and reported to the registry of this Court.

5] Considering the fact that the said person Mr.Bhagatsing Pratapsing Kushwah is in service, we refrain from taking any coercive action against him. We accept the unconditional apology and drop the show cause notice against him.

6] Writ petition is accordingly disposed of. No costs.

(K.L. WADANE, J.)

(S.V. GANGAPURWALA, J.)