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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL PUBLIC INTEREST LITIGATION NO.11 OF 2016**

All India True Christian Council Trust ... Petitioner

Vs.

State of Maharashtra and Ors. ... Respondents

Ms. Heena Khan i/by Mr. Pankaj Dinesh Purway for the Petitioner.

Dr. F.R. Shaikh, APP for the Respondent Nos.1 to 3.

Mr. Sandesh Deshpande for Respondent No.4.

**CORAM : A.S. OKA &
ANUJA PRABHUDESSAI, JJ.**

DATE : 22nd DECEMBER, 2016

PC.

1 The prayer in this PIL is for issuing a writ of mandamus enjoining the State Government to exercise powers under Section 95 of the Code of Criminal Procedure, 1973 in relation to book, a copy of which is annexed at Exhibit – F.

2 A representation dated 25th February, 2016 (Exhibit – E) made by the Petitioner is annexed to the Petition. Though the representation is addressed to the Senior Inspector of Police of Shivaji

Park Police Station, the copies thereof were submitted to the Hon'ble the Chief Minister and the Hon'ble Home Minister of the State Government. The learned APP on instructions states that the State Government will take appropriate decision on the said representation after examining the concerned book within a period of one month from today. We accept the said statement.

3 In view of the statement, we need not keep the Petition pending and we dispose of the Petition by passing the following order :-

ORDER

- (i) We accept the statement made on behalf of the State Government by the learned APP that appropriate decision will be taken by the State Government on the basis of representation dated 25th February, 2016 within a period of one month from today;
- (ii) A copy of the decision taken by the Government on the said representation shall be forwarded to the Petitioner within a period of two months from today;

(iii) We make it clear that we have made no adjudication on merits of the controversy and also on the question of maintainability of the PIL at the instance of the Petitioner. All questions in that behalf are kept open;

(iv) Petition is disposed of on above terms.

(ANUJA PRABHUDESSAI, J)

(A.S. OKA, J)