

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

PUBLIC INTEREST LITIGATION NO. 32 OF 2014

Dr. Kirit Somaiya

... Petitioner.

V/s.

The Ministry of Consumer Affairs, Food and
Public Distribution (Dept. of Consumer Affairs)
and Others.

... Respondents.

**WITH
WRIT PETITION NO. 215 OF 2014**

Mr. Johnny Ishwardas Kripalani & Others.

... Petitioners.

V/s.

Union of India, through the Ministry of
Consumer Affairs, Food and Public
Distribution and Others.

... Respondents.

Mr. Aziz Khan i/by Divya Shah & Associates for the Petitioner
in PIL-32/2014.

Mr. Adhip Iyer i/by AZB & Partners for the Petitioners in WP-
215/2014.

Mr. Shiraz Rustomjee, Sr. Counsel a/w. Mr. Mihir Mody i/by K.
Ashar & Co. for Respondent No.4 & 7 in PIL-32/2014 and for
Respondent No.3 in WP-215/2014.

Mr. Chirag Kamdar a/w. Ashvini Hariharan for NSEL (National
Spot Exchange Ltd.).

Mr. Tejas Luniya i/by Thodur Law Associates for Respondent
No. 16 in WP-215/2014.

Mr. Sharan Jagtiani a/w. Namita Shetty i/by Cyril Amarchand
Mangaldas for Respondent No.8 in WP-215/2014.

Ms. Namita Shetty i/by Cyril Amarchand & Mangaldas for Respondent No.10 in WP-215/2014 & PIL-32/2014.

Ms. Ambreen Saheed i/by MDP & Partners for Respondent No.7 in WP-289/2014 (already disposed of).

Mr. Parag Vyas a/w. G. R.Sharna & D. P. Singh , Y. R. Mishra, Dhanesh Shah for Respondent No.1-Union of India.

**CORAM : V. M. KANADE AND
MRS.SWAPNA JOSHI,JJ.**

DATE : 26th SEPTEMBER, 2016

P.C. :

1 Heard the learned counsel appearing on behalf of the Petitioners and the learned counsel appearing on behalf of the Respondents in this PIL No. 32 of 2014 and WP No.215 of 2014.

2 Learned counsel appearing on behalf of the Petitioners in WP No. 215 of 2014 seeks two weeks time. He submitted that he has written a letter to the Petitioners on 19th September, 2016 by e-mail; however, he has not received any communication from the Petitioner Nos. 1 and 3 and that the Petitioner No.2 informed him that he would revert back to him. It is submitted that however so far no communication is received to him from Petitioner No.2 also. He submitted that he would like to send a letter/notice to the said Petitioners by registered post AD also. In our view, it is not necessary to grant further time to the Petitioners' counsel since these

Petitions have become infructuous by efflux of time. More over one of the Petition (WP No. 289/2014 and Notice of Motion therein) which is tagged with these petitions, has already been disposed of by order dated 14th August, 2015 passed by this court in W.P. No.289 of 2014 alongwith various notices of motions. Similarly one more Petition (W.P. No.861 of 2014 and Notice of Motion therein) which is tagged with these petitions, has also been already disposed of by order dated 14th August, 2015 passed by this court in W.P.No. 861 of 2014 alongwith the notices of motions.

3 The Petitioners in both these matters are seeking various reliefs, more particularly, mentioned in the prayer clauses of both the petitions. The Petitioners seek a writ, order and direction, directing the Respondents to take action and file criminal complaint against one - Mr. Jignesh Shah and others, who are involved in the National Spot Exchange Scam/ Commodity Exchange Scam.

4 We are informed by the learned counsel appearing on behalf of the Respondents that after the petitions were filed in the year 2014, the Central Government as well as Investigating Agency has taken various steps against the said Jignesh Shah and the companies which are involved in the said scam. Therefore, practically the group of petitions has worked

itself out on account of the subsequent events which have taken place after the filing of these petitions.

5 Our attention was also invited to the order passed on 12th February, 2016 by this court in PIL No. 102 of 2013 and it was submitted that the said PIL was filed by the Indian Council of Investors, seeking more or less or similar reliefs as are claimed in these two petitions, has also been disposed of as also this court disposed of such group of the petitions for the same reliefs and for the same reasons.

6 For the same reasons, this PIL and the Writ Petition are also disposed of.

(MRS.SWAPNA JOSHI,J.)

(V. M. KANADE,J.)

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