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FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.845 OF 2017 IN  
WRIT PETITION NO.7627 OF 2014

|                                                                                                                        |                           |
|------------------------------------------------------------------------------------------------------------------------|---------------------------|
| Office Notes, Office<br>Memorandum of Coram,<br>appearances, Court's orders<br>or directions and<br>Registrar's orders | Court's or Judge's orders |
|------------------------------------------------------------------------------------------------------------------------|---------------------------|

Mr.Anant Bobe i/b Nitin S. Dhumal for the Applicant  
Mr.Ankit Chaturvedi i/b Rameshwar Git for the  
Respondent No.1.

Mr.S.B.Shetye for respondent No.3

Mr.M.M.Pabale, AGP for respondent No.4

CORAM :A.S.OKA AND  
SMT.VIBHA KANKANWADI,JJ.

DATE : JUNE 6, 2017

P.C.

1 Time is sought on behalf of the applicant. The first substantive prayer in this application is prayer clause (b) which reads thus:

“(b) that this Hon'ble Court be pleased to issue appropriate other writ, order or direction to the respondent No.3 and its officials to forthwith initiate penal action under the provisions of Indian Penal Code against the Respondent No.1 for filing/furnishing wrong/false information to a public

servant or for suppression of material facts before him."

2 In view of the settled law, even in a substantive writ petition under Article 226 of the Constitution of India, a writ of mandamus directing registration of the First Information Report under the Code of Criminal Procedure, 1973 may not be issued. The applicant can always set the criminal law in motion by taking recourse to sub-section 1 and/or sub-section 3 of section 154 of the Code of Criminal Procedure, 1973.

3 The second prayer is for fixing the peremptory date of hearing of the writ petition of the year 2014. On the final hearing cause list published for this week, writ petitions from the year 1992 onwards have been listed. Therefore, out of turn priority cannot be given to the hearing of the writ petition of the year 2014.

4 Subject to what is observed above, the civil application is rejected.

(VIBHA KANKANWADI, J.)

(A.S.OKA, J.)