

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 494 OF 2016

Baliram Pandurang Shinde & Anr.

..Petitioners

v/s.

The Secretary,
Law & Judiciary Dept. & Ors.

..Respondents

Mr. K.M.Sangani for the Petitioner.

Ms.S.D.Shinde, APP for the Respondent-State.

Mr.Shahajirao Shinde for the Respondent No.5.

Mr.H.S.Venegavkar for the CBI.

CORAM : RANJIT MORE &

SMT. ANUJA PRABHUDESSAI, JJ.

DATED : 19th APRIL, 2017.

P.C.

1. By this petition, the petitioner is seeking following reliefs:

“(b) That this Hon'ble Court be pleased to issue Writ of Mandamus or Writ of Certorari or Writ or appropriate directions to enforce the order dated 05.08.2014 in Misc. Application No. 264/2013 in C.B.I. Special Case No. 91/2002 (RCBAI/2001/A-00036) and release all investments with interest as per I Card on investments, total Rs.26,25,435.00 and further interest at the rate of 18% p.a. on Rs.26,25,435/- from 01.06.2015 till the date

of realization.

(c) The respondents be directed in respect of the accounts standing in the name of Petitioners as described in Annexure A, B & C are hereby ordered to be defreezed.”

2. In short, the petitioner is seeking implementation of Order dated 5th August, 2014 of the Special for C.B.I., Gr. Mumbai in Misc. Civil Application No. 264 of 2013.

3. Mr. Venegaonkar, learned Counsel for the C.B.I., on instructions, makes a statement that this Order is already implemented. This fact is not disputed by Mr. Sangani, the learned Counsel for the Petitioner. However, he says that it was the duty of the C.B.I. to renew the F.D. He has submitted that the failure of the CBI to renew the Fix Deposits has caused great loss to the petitioner. The petitioner therefore, claims compensation for this loss. Suffice it to say that such a relief cannot be granted in exercise of criminal writ jurisdiction. The prayers made in the petition are not maintainable. Petition is accordingly dismissed.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)