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

**CRIMINAL APPLICATION NO. 12 OF 2017
IN
CRI. PUBLIC INTEREST LITIGATION (ST) NO. 28 OF 2015**

Mahatappa Basappa Chenigunde ...Applicant/Intervener
Proposed Respondent

In the matter between:

Sangeeta Dnyaneshwar Patil & Anr. ...Petitioners
Vs.

The State of Maharashtra & Ors. ...Respondents

Mr. Yashodeep Deshmukh i/b. Mr. Rajesh Togrikar,
Advocate for the Applicant in APPI No. 12/2017

Mr. Rupesh A. Zade, Advocate for the Petitioner in Cr.PILNo.28/2015

Mrs. P.P. Shinde, APP for Respondent State in APPI & Cr.PIL

CORAM : B.R.GAVAI &

M.S. KARNIK, JJ.

DATED: 8TH SEPTEMBER, 2017

P.C.:

1. This is an application filed by one of the Officers who was allegedly involved in the scam which was the subject matter of Criminal Public Interest Litigation No. 28 of 2015. It is the contention of the Applicant that the action was initiated only on the basis of the observations made by this Court in its order

passed in the Public Interest Litigation No. 28 of 2015.

2. By an order dated 8th September, 2017 we have disposed of the Public Interest Litigation. The Applicant, if he finds that there is no substance in the criminal as well as departmental enquiry initiated against him is always at liberty to take such steps as prescribed in law. We, therefore, reject the application.
3. However we observe that in the event the Applicant takes any steps for challenging the criminal as well as departmental proceedings, the Authority before whom such proceedings are taken would not be influenced by the observations made by this Court.

(M.S. KARNIK, J.)

(B.R.GAVAI, J.)