

1. Heard Mr. Bayas, learned counsel for the petitioner
2. Though the petitioner is before this Court raising a grievance that the order of this Court, dated 15.6.2015 is not complied with and action be initiated against these respondents for committing willful disobedience of the order of this Court, at the threshold, we are unable to entertain the petition for the reasons which are more than one. Firstly, the petitioner was

before this Court by way of Criminal Writ Petition No.646/2014 with the general prayer or the composite prayer; and prayer (B) is the basic prayer in the petition. The same reads thus :

(B) By way of issuance of appropriate writ, direction or order, like in nature, respondent No.2 to 4 may kindly be directed to initiate necessary criminal and civil proceedings against the respondent No.5 for his adopted unlawful and illegal act, for grabbing valuable properties of innocent persons like present petitioner under the garb of so called sale deeds being security while extending loan by him and for charging huge rate under the various provisions of law including Maharashtra Land Ceiling Act by taking cognizance of the representation submitted by the petitioner dated 16/12/2013, 02/01/2014 and 03/02/2014 for removing the properties of innocent persons including present petitioner from the clutches of the respondent No.5, in the interest of justice.

3. To the petition, the Deputy Director of Registrar, Co-operative Societies, Latur, District Latur was also one of the party. It is the grievance of the petitioner raised in the petition that the respondent No.5 acts as Money Launderer as stated by the

petitioner while referring the status of the respondent (but we presume that this is a mistake committed by the petitioner and petitioner wants to state that the respondent No.5 is a money lender). There is nothing either with the contentions in the petition that the petitioner approached the appropriate authority i.e. respondent No.4 raising his grievance. Now, be that as it may, the Division Bench, by order dated 15.6.2015, disposed of the Writ Petition in view of the statement made at the bar by learned A.P.P. It was submitted before this Court that the District Collector, Latur has stated in the communication that necessary enquiry will be initiated under the relevant rules against the respondent No.5.

4. The learned counsel for the petitioner submitted that, though the statement was made before this Court and though the petition was disposed of, there is no further progress in the matter. Now the documents placed on record show that the petitioner submitted certain representations to the Collector, Latur. The Collector, Latur in turn called report from the District Deputy Registrar, Latur. It was the submission of Mr. Bayas, learned counsel that the respondent No.5 is indulged in act of money lending and the petitioner is one of the victim of such an act of the respondent No.5. On specific query made to the

learned counsel that if the petitioner was having any grievance against the respondent No.5 which would fall under the scope of a criminal act and as such would lead to treat the act as an offence, in that case, whether the petitioner had availed any remedy which is available to him to approach the appropriate and competent forum including approaching the police authorities, the learned counsel Mr. Bayas, on instructions, fairly submits that, the petitioner had not availed such a remedy till date. Then it was submitted by Mr. Bayas, the learned counsel that the respondent No.5 is a licence holder, who acts in contravention of the conditions of licence. Again we put a query to the learned counsel that if this is the grievance of the petitioner, whether the petitioner had approached the competent authority who issues a certificate to a person for carrying out an activity as a money lender, and if it is the grievance of the petitioner that the respondent no.5 is acting in contravention of the conditions of licence, whether such a grievance is raised to the licencing authority, Mr. Bayas, on instructions, submitted before us that such a course is not adopted by the petitioner.

5.           Considering all these facts, we are of the clear opinion that, the petition filed before this Court is clearly unsustainable and we are unable to entertain the Contempt Petition for the

aforesaid reasons. The petition, thus, being thoroughly misconceived, is accordingly disposed of.

6. Learned counsel Mr. Bayas for the petitioner prays for liberty to approach the competent authority to raise the grievance of the petitioner in the nature of contravention of the conditions of licence. If any other remedy is available to the petitioner for raising grievance before the competent authority more particularly the licencing authority, the petitioner is at liberty to approach such authority for raising his grievance.

(MANISH PITALE)  
JUDGE

(PRASANNA B. VARALE)  
JUDGE

fmp/-

Faridkhan  
Mahammadkhan  
Pathan

Digitally signed  
by Faridkhan  
Mahammadkhan  
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