

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 15207 OF 2017

Kolheshwari Gram Vikas Sanstha Kolhar
Dist. Ahmednagar through its
President M. J. Palve .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Sandip R. Andhale, Advocate for the Petitioner.
Shri S. G. Karlekar, Addl.G.P. for All Respondents.

**CORAM : S. V. GANGAPURWALA AND
ARUN M. DHAVALA, JJ.
DATE : 04TH JANUARY, 2018.**

FINAL ORDER :

. The learned counsel for the petitioner submits that, the petitioner is similarly situated as the petitioner in Writ Petition No. 13987 of 2017 and 14134 of 2017 decided on 07th December, 2017.

2. The learned A. G. P. on going through the order accepts the fact that the petitioner in the present writ petition is similarly situated as the petitioners in Writ Petition No. 13987 of 2017.

3. In the light of the above, we adopt same recourse and pass

same order.

4. Challenge is raised to the communication issued on 06.09.2017 by the respondent No. 1, instructing to lodge First Information Report against such of individuals or the societies operating fodder depots on account of commission of irregularities.

5. Learned AGP states on instructions that appropriate care would be taken to scrutinize each of the matter before lodging First Information Report.

6. The decision taken by the authority on the basis of subjective satisfaction to initiate criminal prosecution and lodge First Information Report obviously would not be subjected to judicial scrutiny. It would be open for the petitioners to challenge final decision of respondents categorizing the petitioner in the blacklist, as and when such decision is taken.

7. In view of above, writ petition stand disposed of.

[ARUN M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]