

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

WRIT PETITION NO. 591 OF 2018

Shriram General Insurance Co. Ltd., ... Petitioner.
V/s.
The Secretary, Ministry of Home,
Mantralaya, Mumbai -32 and 12 Ors. ... Respondents.

Mr. Kiran Bhosale, Advocate a/w. Ms. Aditi Bhargava i/by
M/s. NDB. Law for the Petitioner
Mr. Ajay Patil, Assistant Government Pleader for the State -
Respondent Nos. 1 to 3.

**CORAM : B. R. GAVAI AND
SMT. BHARATI H. DANGRE,JJ.**

DATE : FEBRUARY 26, 2018

P.C. :

1 The Petitioner seeks appointment of a Special Investigation Team, on the ground that the investigation in the matter of death of the deceased-Umesh Tapadiya has not been done in proper manner. It is the contention of the Petitioner that the legal heirs of the deceased, the Respondent nos. 4 to 8 herein, have lodged a claim of Rs. 42,41,00,000/- (Rs. Forty Two Crore Forty One Lakhs only) as compensation on account of death of the deceased - Umesh. It is contended that, on account of improper investigation, the Petitioner may be unnecessarily fastened with the liability.

2 Mr. Bhosale, Advocate for the Petitioner states that, on similar issue, pertaining to fake claims the Apex Court has issued notices to all the States and Union Territories and High Court Registrar, to ascertain as to what steps can be taken in this regard and also to ascertain such cases which may prima facie require investigation; in Special Leave to Appeal (c) ... CC No. 23628 of 2016 case of Safiq Ahmad vs. ICICI Lombard General Insurance Co. Ltd., & Ors. in order dated 05.01.2017.

3 At this stage, it is for the Respondent to lodge the claim against the petitioner. Merely the Respondents have made huge demand for their claim and according to the petitioner, the investigation has not been done properly, cannot be a ground for directing the appointment of SIT in the matter. If that be so in every other alternate matter, it would be required to appoint the SIT. In so far as the order passed by the Hon'ble Apex Court, in the case of Safiq Ahmad (supra) is concerned, the said case was pertaining to a huge scam; however, the present matter is restricted to one claim.

4 In that view of the matter, no case is made out for interference. The Petition deserves to be rejected. Rejected accordingly.

(SMT. BHARATI H. DANGRE, J.)

(B. R. GAVAI, J.)

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