

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

WRIT PETITION NO. 5224 of 2017

(Order corrected in pursuance of order dated 30th October, 2018)

Dhanada Corporation Limited and ors.

.....Petitioners

versus

The Principal Secretary, Home Department,
Government of Maharashtra, Mumbai and ors.

.....Respondents

Mr. V. P. Sawant I/b. Mr. K. J. Hakani, advocate for the petitioners.

Mr. F. R. Shaikh, APP for the State.

Mr. N. Y. Kingaonkar I/b. Mr. S. S.Karmarkar, advocate for the
applicant/intervenor in criminal application No.66 of 2018.

Mr. Sachin Pawar, advocate for the applicant/intervenor in criminal
application No.165 of 2018.

**CORAM : RANJIT MORE &
SMT.BHARATI H. DANGRE, JJ.**

DATE : 23rd OCTOBER, 2018.

P. C. :

Heard learned counsel and learned APP appearing for the
respective parties.

2. The petitioners, by this petition, is challenging the notification dated 7th May, 2016 issued under sections 4 and 5 of the Maharashtra Protection of Interest of Depositors (In Financial Establishment) Act, 1999 (for short "the MPID Act"). By the said notification, the petitioners' properties at Pune and Aurangabad came to be attached. The competent authority appointed under section 5 of the MPID Act,

thereafter, applied for confirmation of the attachment order. On application of the competent authority, the designated Court passed an order under section 7(4) of the MPID Act thereby confirming the attachment order. The petitioners challenged the confirmation order by filing separate appeals Nos.159 and 188 of 2018 before the Division Bench at Aurangabad and, these appeals came to be dismissed by an order dated 10th September, 2018.

3. It can thus be seen that the order of attachments issued by the Government under Section 4 of the MPID Act is confirmed by the designated Court and the appeals filed against this order are also dismissed. Now, it is not open for the petitioners to challenge the said notifications by filing writ petition before the Principal Seat. If the petitioners are aggrieved, they are always at liberty to challenge the appeal orders referred herein above before the appropriate forum.

5. Be that as it may, in respect of properties at Pune belonging to the petitioners are concerned, the competent authority has filed an application under Section 7 before the designated Court and the notification issued under section 4 of MPID has already been confirmed by the designated Court. It is also stated before us that the petitioners have challenged this order by filing separate appeal.

6. In the aforesaid circumstances, we are not inclined to entertain the petition and the same is, accordingly, dismissed.

7. In view of dismissal of the writ petition, the criminal application Nos. 66 and 165 of 2018 will not survive for consideration and the same are also dismissed.

[SMT.BHARATI H. DANGRE, J.]

[RANJIT MORE, J.]