

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 675 OF 2015**

Anil Kumar Poddar. .. Petitioner.

v/s.

Eins Edutech Ltd. and ors. .. Respondents.

None for petitioners.

Mr. Prakash Shinde I/b. MDP & Partners, advocate for respondent No. 4.

**CORAM : RANJIT MORE &
SMT. SADHANA S. JADHAV, JJ.**

DATE : APRIL 24, 2018.

P. C. :

1 None appears for the petitioner. Heard the learned Counsel for the respondent No. 4.

2 The petition is filed for the following reliefs :
“(a) That this Hon'ble Court be pleased to issue a Writ of Mandamus or any other appropriate writ, order or direction in thie nature of Writ of Mandamus ordering and directing the Respondent No. 2, 3, 4 & 5 to take steps for filling of prosecution on behalf of petitioner against Respondent No. 1 Company as permitted under the provisions of sec. 119, 136, 170, 171, 186, 189 and other applicable provision of the Companies Act, 2013 and 1956 for commission of offence by

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Respondent No. 1 Company.

(b) That this Hon'ble Court be pleased to issue a Writ of Mandamus or any other appropriate writ, order or direction in the nature of Writ of Mandamus ordering and directing the Respondent No. 2 to take steps for ensuring that the respondent No. 1 company and the respondent company comply with all the compliance which under various provision of Companies Act, 2013 and 1956 are mandatory."

3 In the past, the petitioner had filed a writ petition claiming exactly the same reliefs being Writ Petition No. 82 of 2014. The said petition was placed for hearing before the Division Bench consisting of S.C. Dharmadhikari and B.P. Colabawala, JJ on 21/12/2014. While disposing of the said writ petition, Division Bench observed as under : -

"in the event the petitioner is aggrieved by the inaction of the statutory authority, nothing prevents him from approaching a competent criminal court and filing a private complaint".

With these observations, Division Bench declined to entertain the said writ petition.

4 On 17th April, 2018, another petition filed by the petitioner bearing Writ Petition No. 1218 of 2015 claiming similar relief was disposed of by the Division Bench of this Court.

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5 It appears that the petitioner has filed different petitions against different companies for the similar/same reliefs. As a matter of fact the petitioner has alternative remedy. Till today, 3 petitions of the petitioners are dismissed and therefore, we are not inclined to entertain this Writ Petition. Hence, dismissed.

[SMT. SADHANA S. JADHAV, J.]

[RANJIT MORE, J.]