

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

7 WRIT PETITION NO.438 OF 2018
WITH CA/13251/2018 IN WP/438/2018

APPASAHEB NIVRUTI GAGRE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. N. B. Suryawanshi i/by
Mr. Suryawanshi Sanket N.

AGP for Respondents State: Mr. S. K. Tambe
Advocate for Respondent No.7 :Mr.Deshpande Sanjeev B.

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**

DATE : 19th March, 2019

PER COURT :

1. We have heard Mr.Suryawanshi, learned Advocate for the petitioners.

2. Grievances of the petitioners appears to be that the respondents must be directed to conduct enquiry against the Money lender as contemplated under sections 16 and 17 of the Money Lending (Regulation) Act, 2014. Affidavit is filed by the State through its Assistant Registrar Cooperative Societies and also filed affidavit of the Collector Ahmednagar stating that the enquiry has been undertaken by the authority and report is submitted to the three members committee,

consisting of the Collector, Ahmednagar Superintendent of Police, Ahmednagar and District Deputy Registrar, Cooperative Societies, Ahmednagar.

3. In view of above, the prayer clause (b) does not survive.

4. We are not going into the merit of the enquiry. The petitioner is at liberty to take further steps as may be appropriate in law.

5. As far as prayer clause (c) is concerned, the Superintendent of Police-Respondent No.4 was the Member of the Committee. Direction is also sought against respondent No.7- Assistant Director, Enforcement Directorate, on the ground that complaint has been made to respondent no.7. It is for the Respondent no.7 to take appropriate steps as may be permissible in law.

6. The petitioner has already filed Civil suit which will be decided on its own merits on the basis of evidence adduced as may be permissible in law. As to the relief of enquiry, as the same has been conducted, we are not going further into the merits of the matter.

7. Learned A.G.P. Submits that even the petitioner has remedy to file private complaint.

8. In view of above, the writ petition is disposed of. No costs.

(A. M.DHAVALA, J.)

(S.V.GANGAPURWALA, J.)

JPC