

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 488 OF 2016
IN
WRIT PETITION NO. 2878 OF 2016

Shri. Mod. Shafi.

..Applicant.

In the matter between :

Ashok Arora Dewan.

...Petitioner.

Versus

The Commissioner, Mumbai

Municipal Corporation, Mumbai and Others...Respondents.

Mr. P. C. Kansara i/b Kansara & Thanekar for the Applicant.

Mr. A. Sait, APP for the Respondent-State.

Mr. Kunal Waghmare for Respondent No. 1.

Coram : RANJIT MORE &
PRITHVIRAJ K. CHAVAN, JJ.

Date : **February 4, 2020.**

P. C. :

1. Heard the learned counsel appearing for the respective parties. The present application is filed for modification of the order dated 24th November 2016 passed in Writ Petition No. 2878 of 2016.

2. On 24th November 2016, when the said writ petition was placed before the Court [Coram : Ranjit More and Dr. Shalini Phansalkar-Joshi, JJ] for admission, during the course of hearing a statement was made by the learned counsel for Respondent No. 1 to 4 therein that the Medical Officer, K East Ward, Mumbai

Municipal Corporation will approach the Andheri Police Station, Mumbai and would file a report or complaint within the period of two weeks. We recorded and accepted the statement and petition was disposed of.

3. Evidently, in the said writ petition, this Court has not given any directions, but has merely recorded the statement made on behalf of the learned counsel for Respondent Nos. 1 to

4. **It is now brought to our notice that an FIR is already registered against the present applicant, i.e., Respondent No.8 in the said writ petition.** In the circumstances, request of the Petitioner for modification of the order dated 24th November 2016 passed in Writ Petition No. 2878 of 2016 cannot be accepted. The application bereft of any merit and the same is therefore dismissed.

[PRITHVIRAJ K. CHAVAN, J.]

[RANJIT MORE, J.]