

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

CRIMINAL WRIT PETITION NO. 627 OF 2021

Gajanan Machhindranath Taur
Age : 29 years, Occu.: Agriculturist,
R/o Shivangaon, Tq. Ghansawangi
District Jalna.

(At present detained in the
Central Prison, Harsul, Aurangabad) ... Petitioner

Versus

1. The State of Maharashtra
Through its Principal Secretary,
Home Department, Mantralaya,
Mumbai.
2. The District Magistrate /
District Collector, Jalna,
District Jalna
3. The Superintendent of Jail,
Central Prison Harsul, Aurangabad
District Aurangabad.
4. The District Superintendent of Police,
Jalna.
5. Police Inspector,
Chandanzira Police Station,
Jalna.

... Respondents

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Mr. V.D. Sapkal, Senior Counsel i/b Mr. Amarnath S. Sakhare
and Mr. S.T. Chalikwar, Advocates for the Petitioner
Mr. Mahendra M. Nerlikar, APP for State / Respondent Nos. 1 to 5.

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**CORAM : V. K. JADHAV AND
SHRIKANT D. KULKARNI, JJ.**

Reserved on : 24.08.2021

Pronounced on : 28.10.2021

JUDGMENT (PER : SHRIKANT D. KULKARNI, J.):-

1. Rule. Rule made returnable forthwith. With the consent of the parties, the petition is heard finally at admission stage.

2. The petitioner is seeking two fold reliefs; (i) writ of *habeas corpus* and (ii) challenge to the impugned order of detention passed by the detaining authority by invoking provisions of Articles 14, 19, 20, 21, 22 and 226 of the Constitution of India.

FACTUAL MATRIX

3. According to the petitioner, he is an agriculturist from village Shivangaon, District Jalna. He has reputation in the society. He has been implicated in false cases out of political rivalry at the instance of his opponents. Total nine First Information Reports (in short, "FIRs") came to be lodged against the petitioner. Out of them, seven FIRs registered in the year 2019-2020. The petitioner has been acquitted in two case.

He has been released on anticipatory bail and/or regular bail in the remaining seven cases, which are pending for trial.

4. On 31.08.2021, respondent no.2/Police Inspector, Chandanzira Police Station submitted the proposal for detention of the petitioner under Section 3(1) of the Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug-offencers, Dangerous Persons and Video Pirates Act, 1981 (hereinafter referred to as “MPDA Act”). It is submitted by the petitioner that respondent no.3/District Magistrate, Jalna without considering the evidence on record in a proper way passed the order of detention. Even the period of detention is not mentioned in the order. On 05.03.2021, the petitioner came to be arrested and lodged in Central Prison Harsul at Aurangabad. The copies of the detention order, committal order and grounds for detention were served upon the petitioner on 05.03.2021, for the first time. On 06.01.2021, respondent no.1/the State of Maharashtra through Principal Secretary, Home Department was pleased to approve the detention order. On 19.03.2021, the petitioner made the representation under Section 10 of the MPDA Act before the Advisory Board. According to the petitioner, the Advisory Board even did not

consider his representation and arrived at erroneous conclusion and turned down his representation. On 16.04.2021, the said authority confirmed the order of detention on the erroneous facts and concocted record.

5. Heard Mr. V.D. Sapkal, learned Senior Counsel i/b Mr. Amarnath S. Sakhare and Mr. S.T. Chalikwar, Advocates for the petitioner and Mr. Mahendra M. Nerlikar, learned APP for the State / respondent Nos. 1 to 5.

6. Mr. V.D. Sapkal, learned Senior Counsel vehemently submitted that the impugned order of detention is illegal, arbitrary, malafide and against the principles of natural justice. The initial detention order dated 31.12.2020 did not prescribe period of detention. As such, the impugned order is illegal and contrary to the provisions of Section 3(2) of the MPDA Act. He submitted that if all the FIRs registered against the petitioner are perused, then one would find that those are registered against the petitioner by the individual persons. Even if the offences alleged therein are considered to be true, the said offences are not against the public at large, but same are against the individuals. The MPDA Act is enacted for the preventive

detention of the anti-social elements for preventing their dangerous activities prejudicial to the maintenance of public order. The detaining authority has not considered all these aspects and passed the detention order on the basis of extraneous consideration.

7. Mr. Sapkal, learned Senior Counsel submitted that Section 2(b-1) of the MPDA Act defines dangerous person. The alleged acts of the petitioner do not fall within the meaning of dangerous person, and therefore, the impugned order of detention is illegal and liable to be quashed. The petitioner came to be acquitted by the concerned Court in two criminal cases for want of evidence. In none of the cases, the petitioner is convicted. The detaining authority was well aware about these facts, but deliberately ignored this crucial aspect. The detaining authority has failed to consider that FIRs lodged against the petitioner are false and out of political rivalry. The petitioner was released on anticipatory bail and/or regular bail by the concerned Courts. The said fact is not considered by the detaining authority.

8. Mr. Sapkal, learned Senior Counsel further invited our attention that no procedure has been followed before passing the detention order. No opportunity of hearing was given to the petitioner before passing the impugned order, which is violative of basic principles of natural justice. The petitioner has been illegally detained, which is violative of his fundamental rights guaranteed under Articles 14, 19, 20, 21 and 22 of the Constitution of India. The detaining authority has considered two in-camera statements of those persons, who are hand in gloves with the authorities. On perusal of grounds of detention order, it is apparent from the face of record that the detaining authority was not subjectively satisfied to the grounds for detaining the detenu under the MPDA Act. Learned Senior Counsel submitted that there was no incident reported to show that it can be conclusively established that there is public unrest or immediate threat to the law and order situation that could not be regulated without the detention of the detenu. He submitted that the impugned order of detention is illegal, arbitrary, *malafide*, and therefore, the impugned order is liable to be quashed and set aside.

9. To buttress the argument, Mr. Sapkal, learned Senior counsel has placed his reliance on following two citations in support of his argument.

- (i) Decision of the Hon'ble Supreme Court in case of ***Banka Sneha Sheela Vs. The State of Telangana*** in ***Criminal Appeal No.733 of 2021*** [arising out of ***SLP (Criminal) No. 4729 of 2021***] decided on 02.08.2021.
- (ii) The Division Bench decision of Bombay High Court in case of ***Mr. Shubham Rajendra Hingade Vs. State of Maharashtra and another*** (in ***Criminal Writ Petition No.559 of 2021***) decided on 22.06.2021.

10. Per contra, Mr. Mahendra M. Nerlikar, learned APP for the State/respondent nos. 1 to 5 supported the impugned order passed by the detaining authority. Learned APP submitted that the impugned order of detention passed against the petitioner does not suffer from any legal error. The authority has followed the proper procedure as contemplated under the MPDA Act. Mr. Nerlikar, learned APP invited our attention to the affidavit-in-reply filed by the District Magistrate, Jalna, more particularly, para 69. He submitted that nine FIRs came to be

registered against the petitioner at various police stations from Jalna city. The petitioner is involved in commission of serious cognizable offences including attempt to commit murder and robbery, which are against the society. The Police Inspector of Police Station Chandanzira, Jalna submitted the proposal for the detention of the petitioner in the background of serious crimes committed by the petitioner. The petitioner is a dangerous person as defined under the MPDA Act.

11. Mr. Nerlikar, learned APP submitted that due to the criminal and dangerous activities of the petitioner, the persons residing in the jurisdiction of Police Station Chandanzira, Jalna and the adjoining areas remained under constant fear and terror. The persons in that area are not coming forward either to lodge FIR or to give statements due to terror of the petitioner. The detaining authority after having subjective satisfaction arrived at conclusion that the petitioner is indulged in dangerous and criminal activities which are prejudicial to the maintenance of public order. After having subjective satisfaction, the detaining authority has passed the order of detention on 31.12.2020. The detention order, grounds of detention alongwith its translation and other relevant papers were served

to the petitioner on 05.03.2021 and after following due procedure, the petitioner has been detained in Central Prison at Aurangabad. The detention order has been approved by the State Government on 06.01.2021. The Advisory Board has also considered the representation of the petitioner and turned down the same. The detaining authority has also considered the FIRs registered against the petitioner and two in-camera statements and after subjective satisfaction, the detaining authority has passed the order of detention of the petitioner. The impugned order of detention is legal and valid and does not suffer from any legal error. There is no merit in the petition challenging the order of detention of the petitioner. The petitioner has been detained after following due procedure as provided under the MPDA Act. Learned APP urged to dismiss the petition.

12. Mr. Nerlikar, learned APP has placed his reliance on the following stock of citation in support of his argument.

- (i) ***Magar Pansing Pimple Vs. State of Maharashtra and another*** reported in ***2006 ALL M.R. (Cri.) 491.***

(ii) *Smt. Dagadibai Anand Jadhav Vs. S.C. Malhotra and others* reported in *1988 ALL M.R. (Cri.) 362.*

(iii) *Manoj @ Sonya S/o Ramdas Ghule Vs. The Commissioner of Police Pune City, Dist. Pune and others* reported in *2018 ALL M.R. (Cri.) 608.*

13. The detaining authority/District Magistrate, Jalna has considered the following criminal cases registered against the petitioner at various police stations from District Jalna for taking preventive action:-

Sr. No.	Name of the Police Station	Cr. No.	Sections	Date of registration	Current position
1	Chandanjhira Jalna	109/2019	326, 34 of IPC r.w. 4/25 of Indian Arms Act.	28/03/2019	Under Investigation.
2	Kadim Jalna	268/2019	143,141, 188 of IPC	17/07/2019	Pending before Court.
3	Kadim Jalna	355/2020	307,160,188, 269,270 of IPC rw 3/25 of Indian Arms Act.	24/07/2020	Under Investigation
4	Taluka Jalna	441/2020	425,323,04,5 06,188,269,2 70 of IPC rw 51(b) of Disaster Management Act.	24/07/2020	Under Investigation.
5	Ambad	359/2020	4/25 of Indian Arms	24/07/2020	Under Investigation.

			Act.		
6	Chandanjhira Jalna	260/2020	143,147,148, 149,323,427, 504,506,188, 269,270 of IPC rw 51(b) of Disaster Management Act.	25/07/2020	Under Investigation.
7	Kadim Jalna	365/2020	394, 34 of IPC.	01/08/2020	Under Investigation.

Preventive Actions

Sr. No.	Name of Police Station	Chapter Case No.	Section	Disposal
1	Ghansavangi	71/2019	110 (E)(G) of Cr. PC.	Final Bond 30.12.2019
2	Ghansavangi	12/2019	107 of Cr. P.C.	Final Bond

14. Apart from that, the detaining authority has also taken into consideration in-camera statements of two witnesses (witness A and witness B).

15. It would be relevant to refer Section 2 of the MPDA Act, 1981, which defines 'dangerous person' as under:-

“2.....

(b-1) "dangerous person" means a person, who either by himself or as a member or leader of a gang, habitually commits, or attempts to commit or abets the

commission of any of the offences punishable under Chapter XVI or Chapter XVII of the Indian Penal Code or any of the offences punishable under Chapter V of the Arms Act, 1959.”

Under clause (a) of section 2, in the context of a dangerous person, “acting in any manner prejudicial to the maintenance of public order”, means-

“(iv) in the case of a dangerous person, when he is engaged, or is making preparation for engaging, in any of his activities as a dangerous person, which affect adversely, or are likely to affect adversely, the maintenance of public order.”

The explanation appended to clause (a) of section 2 further clarifies the import of ‘public order’, for the purpose of the said clause, which reads as under :

“Explanation—For the purpose of this clause (a), public order shall be deemed to have been affected adversely, or shall be deemed likely to be affected adversely, inter alia, if any of the activities of any of the persons referred to in this clause directly or indirectly, is causing or calculated to cause

any harm, danger or alarm or a feeling of insecurity, among the general public or any section thereof or a grave or widespread danger to life or public health; [or disturbs in public safety and tranquility or disturbs the day to day life of the community by black-marketing in the essential commodities which is resulting in the artificial scarcity in the supply of such commodities and rises in the prices of essential commodities which ultimately causes inflation][or disturbs the life of the community by producing and distributing pirated copies of music or film products, thereby resulting in a loss of confidence in administrations.].”

16. In the above background of the provisions of Section 2 of the MPDA Act, it may be apposite to consider the distinction between the concept of the “public order” and “law and order” in the premise of submissions made by the learned Senior Counsel and the learned APP for the State.

17. In case of *Shubham Rajendra Hingade Vs. State of Maharashtra and another* (supra), the Division Bench of this Court at principal seat at Bombay has observed in para 13 as under:-

“13. In the backdrop of the aforesaid provisions, it may be apposite to first consider the distinction between the concepts of “public order” and “law and order”. Public order is something more than ordinary maintenance of law and order. A proper test to distinguish between “law and order” and “public order” is whether the complained acts led to disturbance of the ordinary tempo of life of the community so as to amount a disturbance of the public order or it merely affected an individual leaving the tranquility of society undisturbed. It is, therefore, said that the essential distinction between the concepts of “public order” and “law and order” is not in the nature or quality of the act but in the degree, potentiality and extent of its reach upon society. The given act by itself may not be determinant of its own gravity. It is the propensity and potentiality of the act of disturbing the even tempo of life of the community that renders it as prejudicial to the maintenance of public order.”

18. In case of *Banka Sneha Sheela Vs. The State of Telangana and others* (supra), the Hon'ble Supreme Court has observed in para 12 by referring its earlier decision in case of *Ram Manohar Lohia Vs. State of Bihar (1966) 1 SCR 709* as under:-

12. As is well-known, the expressions 'law and order', 'public order', and 'security of state' are different from one another. In *Ram Manohar Lohia v. State of Bihar* (1966) 1 SCR 709 the question before this Court arose under a Preventive Detention Order made under Rule 30 of the Defence of India Rules, which permits apprehension and detention of a person likely to act in a manner prejudicial to the maintenance of public order. This Court set out the distinction between a mere law and order disturbance and a public order disturbance as follows:

“The Defence of India Act and the Rules speak of the conditions under which preventive detention under the Act can be ordered. In its long title and the preamble

the Defence of India Act speaks of the necessity to provide for special measures to ensure public safety and interest, the defence of India and civil defence. The expression public safety and interest between them indicate the range of action for maintaining security peace and tranquillity of India whereas the expressions defence of India and civil defence connote defence of India and its people against aggression from outside and action of persons within the country. These generic terms were used because the Act seeks to provide for a congeries of action of which preventive detention is just a small part. In conferring power to make rules, Section 3 of the Defence of India Act enlarges upon the terms of the preamble by specification of details. It speaks of defence of India and civil defence and public safety without change but it expands the idea of public

interest into maintenance of public order, the efficient conduct of military operations and maintaining of supplies and services essential to the life of the community. Then it mentions by way of illustration in clause (15) of the same section the power of apprehension and detention in custody of any person whom the authority empowered by the rules to apprehend or detain (the authority empowered to detain not being lower in rank than that of a District Magistrate), suspects, on grounds appearing to that authority to be reasonable—

(a) of being of hostile origin; or

(b) of having acted, acting or being about to act or being likely to act in a manner prejudicial to—

(i) the defence of India and civil defence;

(ii) the security of the State;

(iii) the public safety or interest:

(iv) the maintenance of public order;

- (v) India's relations with foreign states:
- (vi) the maintenance of peaceful conditions in any part or area of India: or
- (vii) the efficient conduct of military operations.

It will thus appear that security of the state, public safety or interest, maintenance of public order and the maintenance of peaceful conditions in any part or area of India may be viewed separately even though strictly one clause may have an effect or bearing on another. Then follows Rule 30, which repeats the above conditions and permits detention of any person with a view to preventing him from acting in any of the above ways. The argument of Dr Lohia that the conditions are to be cumulatively applied is clearly untenable. It is not necessary to analyse Rule 30 which we quoted earlier and which follows the scheme of Section 3(15). The question is

whether by taking power to prevent Dr Lohia from acting to the prejudice of “law and order” as against “public order” the District Magistrate went outside his powers.

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We have here a case of detention under Rule 30 of the Defence of India Rules which permits apprehension and detention of a person likely to act in a manner prejudicial to the maintenance of public order. It follows that if such a person is not detained public disorder is the apprehended result. Disorder is no doubt prevented by the maintenance of law and order also but disorder is a broad spectrum which includes at one end small disturbances and at the other the most serious and cataclysmic happenings. Does the expression “public order” take in every kind of disorders or only some of them? The answer to this

serves to distinguish “public order” from “law and order” because the latter undoubtedly takes in all of them. Public order if disturbed, must lead to public disorder. Every breach of the peace does not lead to public disorder. When two drunkards quarrel and fight there is disorder but not public disorder. They can be dealt with under the powers to maintain law and order but cannot be detained on the ground that they were disturbing public order. Suppose that the two fighters were of rival communities and one of them tried to raise communal passions. The problem is still one of law and order but it raises the apprehension of public disorder. Other examples can be imagined. The contravention of law always affects order but before it can be said to affect public order, it must affect the community or the public at large. A mere disturbance of law

and order leading to disorder is thus not necessarily sufficient for action under the Defence of India Act but disturbances which subvert the public order are. A District Magistrate is entitled to take action under Rule 30(1) (b) to prevent subversion of public order but not in aid of maintenance of law and order under ordinary circumstances.

It will thus appear that just as “public order” in the rulings of this Court (earlier cited) was said to comprehend disorders of less gravity than those affecting “security of State”, “law and order” also comprehends disorders of less gravity than those affecting “public order”. One has to imagine three concentric circles. Law and order represents the largest circle within which is the next circle representing public order and the smallest circle represents security of State. It is then easy to see that an act may affect law

and order but not public order just as an act may affect public order but not security of the State. By using the expression “maintenance of law and order” the District Magistrate was widening his own field of action and was adding a clause to the Defence of India Rules.”

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19. In case of ***Smt. Dagadibai Anand Jahav Vs. S.c. Malhotra and others*** (supra), the Division Bench of this Court has held that, it is always a question of degree of harm and its effect upon the community while considering the case of the petitioner under the MPDA Act, 1981. It is held that, “if the detenu and his associates involved in serious crimes like robbery, extortion and assault, it has potentiality to affect the even tempo of the life and covered under clause (iv) of Section 2(a) of the MPDA Act, 1981.

20. In case of ***Manoj @ Sonya S/o Ramdas Ghule Vs. The Commissioner of Police Pune City, Dist Pune and others*** (supra), by considering facts of the case, it is held by the Division Bench of this Court that, “in-camera statements of two witnesses and

criminal cases registered against the petitioner established that the detenu had created terror amongst public at large. The acts of the detenue were within the four corners of the acts of dangerous person as defined under the MPDA Act and he was creating disturbance of public order.” The detention order passed by the detaining authority held to be proper and after having subjective satisfaction. The writ petition came to be dismissed.

21. In case of *Magar Pansingh Pimple Vs. State of Maharashtra* (supra), the Division Bench of this Court held that, “the MPDA Act does not require the detaining authority to specify the period which the detenue is required to be detained. The contention of the detenue that period of detention is not mentioned in the order and therefore the order stands vitiated was turned down.

22. Having regard to the legal position made clear by the Hon’ble Supreme Court and the Division Bench of this Court referred above, the law is now well settled in respect of detention matters.

23. Now coming to the factual scenario in order to determine whether the petitioner falls in the definition of dangerous person as defined in Section 2(b-1) of the MPDA Act, 1981. As pointed earlier, seven criminal cases seem to have been registered against the petitioner at various police stations from Jalna District. In addition to that two preventive actions under Section 110 and 107 of the Code of Criminal Procedure seem to have been taken by the authorities. Even for the sake of argument, it is accepted that the petitioner came to be acquitted in two criminal cases, we cannot overlook the factual position emerging from the record. It is evident from the above chart that Crime No.365/2020 came to be registered against the petitioner and others at Kadim Jalna Police Station for the offence punishable under Section 394 read with Section 34 of IPC on 01.08.2020. The said crime is under investigation. Section 394 of IPC relates to voluntarily causing hurt in committing robbery and provides sentence of imprisonment for life or rigorous imprisonment which may extend to ten years so also be liable to fine. The offence of robbery cannot be said to be only against an individual. The offence of robbery is against the society. The

petitioner alleged to have involved in an offence of robbery alongwith his associates and that crime is under investigation.

24. There is one more offence registered against the petitioner and others at Kadim Jalna Police Station vide Crime No.355/2020 for the offences punishable under Sections 307,160,188, 269,270 of IPC rw 3/25 of Indian Arms Act. The said crime is also found to be under investigation. The said offence also cannot be said to be only against the individual, but it is against the society. The details of the crime seem to have been given in the FIR pertaining to Crime No.355/2020 registered at Kadim Jalna Police Station as to how and in what manner the petitioner alongwith his associates alleged to have created chaos at public place in the presence of police by using fire arm and created terror and threat to the life of persons.

25. On going through the impugned order of detention, it is found that the detaining authority has considered all the crimes and details thereof as well as preventive actions taken earlier against the petitioner. The detaining authority after having subjective satisfaction, arrived at conclusion to detain the petitioner under the MPAD Act. The detaining authority has also

considered two in-camera statements (witnesses A and B). The detaining authority has discussed in detail as to how those two in-camera statements give picture about the criminal activities of the petitioner, which amount to not only law and order, but disturbed public order, something more than ordinary maintenance of law and order.

26. It is evident from the record made available by the learned APP that the criminal activities of the petitioner of such a degree that it has potentiality of disturbing even tempo of life of the community and it may be prejudicial to the maintenance of public order.

27. On careful study of the impugned order passed by the detaining authority, we noticed that the detaining authority has considered entire material produced by the police machinery. The detaining authority has given the grounds for detention of the petitioner after having subjective satisfaction. The grounds for detention given by the detaining authority are based upon sound material and foundation.

28. Mr. Sapkal, learned Senior Counsel pointed out that period of detention was not mentioned in the initial order issued by the detaining authority and as such, the impugned order is liable to be quashed and set aside. In ***T. Devaki V. Government of Tamil Nadu and others*** air 1990 SC 1086, it is held by the Apex Court that, “the order of detention not specifying the period of detention does not make the order invalid.”

29. It is observed by the detaining authority in the impugned order that due to criminal activities of the petitioner there is constant threat to the life and property of the general public at large. The criminal activities of the petitioner are harmful for public order in Jalna District. The detaining authority has also considered two in-camera statements in detail and concluded how the persons out of that area are not coming forward to lodge FIR or to give statement before the police. The large number of society are under constant terror of the petitioner and as such, needs his detention to maintain public order.

30. Two in-camera statements seem to have been personally verified by the concerned SDPO about its truthfulness and rightly acted upon by the detaining authority.

31. On careful scrutiny of the impugned order, it is noticed by us that the principles of natural justice are followed by the detaining authority before passing the impugned order. The detaining authority has also followed the procedure contemplated under the MPDA Act, 1981. We find that the acts attributed to the detenu are such as would bring him within the ambit of Clause (iv) of Section 2(a) of the Act. It is seen from the grounds of detention that the detenu and his associates are involved in serious crimes like robbery, extortion and assault which is bound to create fear psychosis in the minds of the people residing in the locality of the Chandanzira Police Station, Jalna. The criminal acts attributed to detenu/petitioner had the potentiality to affect the even tempo of the life. We, therefore, overrule the contention of Mr. Sapkal, learned Senior Counsel that the grounds communicated to the detenu do not disclose that he is involved in activities which were prejudicial to the maintenance of public order. Two in-camera statements (witnesses A and B) also revealed that the criminal activities of

the petitioner has affected the tempo of the life of such as degree that magnitude to affect public order.

32. It is needless to say that the High Court under Article 226 of the Constitution of India do not sit as an appellate Court while deciding the orders of preventive detention. The High Court under Article 226 of the Constitution of India has to see whether procedure contemplated under MPDA Act, 1981 has been followed. Whether the formalities enjoined by Article 22(5) have been complied with by the detaining authority. If the formalities have been complied with, the Court cannot examine the materials before it and find that the detaining authority should not have been satisfied on the materials before it and detained the detenu under the Preventive Detention Act, for, that is the function of an appellate Court. We do not see any merit in the submissions of Mr. Sapkal, learned Senior Counsel that detaining authority has not applied its mind and arrived at an erroneous conclusion. There is no merit in the submissions that there was no subjective satisfaction at the hands of detaining authority before passing the impugned order of detention of the petitioner.

33. For the reasons discussed herein above, we find that the police machinery had presented sufficient material regarding criminal activities of the petitioner, which were either prejudicial or likely to be prejudicial the maintenance of public order. We do not see any scope to interfere with the subjective satisfaction of the detaining authority or to find fault in the same. Hence, we proceed to pass the following order:-

ORDER

- (i) The criminal writ petition stands dismissed.
- (ii) Rule discharged.
- (iv) No order as to costs

[SHRIKANT D. KULKARNI]
JUDGE

[V. K. JADHAV]
JUDGE

S.P. Rane