

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

60. CRIMINAL WRIT PETITION NO.1487 OF 2019

Dr. Purab S/o Narayan Bishwas,
age 37 years occupation Medical Practitioner
R/o Wanjargaon Taluka Vaijapur Dist. Aurangabad
...Petitioner

VERSUS

1. The Union of India
Through its Secretary,
Ministry of Health and Family Welfare,
Nirmal Bhavan, New Delhi.
2. The State of Maharashtra
Through its Principal Secretary,
Home Department, Mantralaya, Mumbai
3. The Secretary,
Medical Education and Drugs Department,
Mantralaya, Mumbai – 32
4. The Superintendent of Police,
Aurangabad Dist. Aurangabad
5. The District Health Officer,
Aurangabad Dist. Aurangabad
6. The Taluka Health Officer,
Vaijapur Dist. Aurangabad
7. The Police Inspector,
Police Station, Vaijapur
Taluka Vaijapur Dist. Aurangabad
...Respondents

WITH

61. CRIMINAL WRIT PETITION NO.1490 OF 2019

Dr. Gaurang S/o Subodh Bishwas,
age 33 years occupation Medical Practitioner
R/o Ladgaon Taluka Vaijapur Dist. Aurangabad
...Petitioner

VERSUS

1. The Union of India
Through its Secretary,
Ministry of Health and Family Welfare,
Nirmal Bhavan, New Delhi.
 2. The State of Maharashtra
Through its Principal Secretary,
Home Department, Mantralaya, Mumbai
 3. The Secretary,
Medical Education and Drugs Department,
Mantralaya, Mumbai – 32
 4. The Superintendent of Police,
Aurangabad Dist. Aurangabad
 5. The District Health Officer,
Aurangabad Dist. Aurangabad
 6. The Taluka Health Officer,
Vaijapur Dist. Aurangabad
 7. The Police Inspector,
Police Station, Vaijapur
Taluka Vaijapur Dist. Aurangabad
- ...Respondents

*Mr. S.J. Salgare, Addl. Public Prosecutor for Respts. No.2 to 7
in both petitions*

CORAM : T.V. NALAWADE &

M.G. SEWLIKAR, JJ.

DATE : 24th February, 2021

ORDER:

1. Nobody is present for the petitioners. On 02/02/2021 also nobody was present for the petitioners. This Court had observed on 02/02/2021 that an attempt is being made to seek

some blanket relief which cannot be granted by this Court. In spite of this observation, and when it was made clear that the matter itself will be dismissed if it is not prosecuted, nobody turned up.

2. Reliefs of following kinds are claimed in both the matters.

" B) By issuing a writ of mandamus or any other appropriate writ or order or directions in the like nature, the respondent authorities may kindly be directed not to take any coercive action against the petitioner by initiating any criminal prosecution/registration of crime on account of violation of the provisions of Medical Practitioners Act and the petitioner may kindly be permitted to practice in allopathic, naturopathy etc.

C) Pending the hearing and final disposal of this criminal writ petition, the respondent authorities may kindly be restrained from taking any coercive action against the petitioner. "

3. This Court holds that blanket reliefs of aforesaid nature cannot be granted and, therefore, there appears no cause of action in both the proceedings. Both the petitions are dismissed.

(M.G. SEWLIKAR)
JUDGE

(T.V. NALAWADE)
JUDGE