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BHAGYAWANT
TATYARAO PUNDE
Date: 2021.09.28
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2984 OF 2021

Suvarna Abasaheb Patil

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

...

Mr. Manoj Vishwakarma i/by. MKU Juris for Petitioner.

Mr. J.P. Yagnik, APP for State.

...

CORAM : S. S. SHINDE &
N. J. JAMADAR, JJ.

DATE : 27th SEPTEMBER, 2021.

P.C.:

1. This petition is filed with following substantive prayers:

b) Issue writ of certiorari or any other writ order or direction in the nature of certiorari for declaration of death of the Respondent No. 3 i.e. Abasaheb Dattatray, in the respect of a missing complaint with the Agripada Police station was registered under adult person missing register serial no. 31/1999 dated 23.06.1999, register with daily sr.no. 15/1999.

c) Issue direction to the respondent No. 2 to issue death certificate of the Respondent No. 3 i.e. Abasaheb Dattatray, in the respect of a missing complaint with the Agripada Police station was registered under adult person missing serial no. 31/1999

*dated 23.06.1999, register with daily
sr. no. 15/1999.*

2. Upon perusal of aforesaid prayers and reliefs claimed by the petitioner, we are of the opinion that the petitioner can file/institute suit for said reliefs claimed in this petition. Hence, the petition is disposed of, with liberty to the petitioner to avail of an appropriate remedy by way of filing suit before the concerned court.

3. In case petitioner is advised to file the suit and if there is delay in instituting the suit, the concerned Court shall keep in view the time spent by the petitioner in prosecuting present petition before this Court.

(N. J. JAMADAR, J.)

(S. S. SHINDE, J.)