

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.305 OF 2021

- | | | |
|---|---|----------------|
| 1. Prachi Vijaykumar Trivedi |] | |
| Adult Aged 36 Years |] | |
| |] | |
| 2. Vijaykumar Suryadutta Trivedi |] | |
| Adult Aged 69 Years |] | |
| Indian Inhabitant, |] | |
| Both the Parties, |] | |
| Presently residing at |] | |
| Flat No.603, Building No.43, |] | |
| Evershine Millennium Paradise, |] | |
| Thakur Village, Kandivali (E), |] | |
| Mumbai – 400101 |] | .. Petitioners |

VERSUS

- | | | |
|---|---|--|
| 1. The State of Maharashtra |] | |
| Govt. of Maharashtra, |] | |
| Mumbai through the Public Prosecutor, |] | |
| High Court, Appellate Side, Mumbai |] | |
| |] | |
| 2. The Senior Inspector of Police of |] | |
| Mulund Police Station |] | |
| |] | |
| 3. M/s Nirmal Lifestyle Ltd.@ Nirmal |] | |
| Group of Companies |] | |
| |] | |
| 4. Rajeev Ramesh Jain |] | |
| Director |] | |
| Aged : 44 Years, Indian Inhabitant |] | |
| 1901, Takshashila, Nirmal Nagar, |] | |
| Mulund Goregaon Link Road, |] | |
| Mulund West, Mumbai – 400080 |] | |

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|-----------------------------------|---|-----------------------|
| 5. Dharmesh Sardarmal Jain |] | |
| Managing Director |] | |
| Nirmal House, Nirmal Nagar, |] | |
| Goregaon Link Road, |] | |
| Mulund West, Mumbai – 400 080 |] | |
| |] | |
| 6. Ramesh Atmaram Patankar |] | |
| Additional Director |] | |
| D/18. St.Lowrence High School |] | |
| Shivaji Nagar, Wagle Estate |] | |
| Thane West 400604 |] | .. Respondents |

ALONGWITH

CRIMINAL WRIT PETITION NO.324 OF 2021

- | | | |
|-------------------------------|---|-----------------------|
| 1. M Radhakrishnan |] | |
| Adult Aged 77 Years |] | |
| |] | |
| 2. Sudha Radhakrishnan |] | |
| Adult Aged 70 Years |] | |
| Both are Indian Inhabitants, |] | |
| Residing at |] | |
| Flat No.203, Sapphire, |] | |
| Nirmal Lifestyle, LBS Marg, |] | |
| Mulund (W), Mumbai |] | .. Petitioners |

VERSUS

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|---|---|
| 1. The State of Maharashtra |] |
| Govt. of Maharashtra, |] |
| Mumbai through the Public Prosecutor, |] |
| High Court, Appellate Side, Mumbai |] |
| |] |
| 2. The Senior Inspector of Police of |] |
| Mulund Police Station |] |
| Subhash Road, Mumbai 400080 |] |
| 3. M/s Nirmal Lifestyle Ltd.@ Nirmal |] |
| Group of Companies |] |

- a Ltd Company Registered under]
 Companies Act, 1956,]
 3rd Floor, Multiplex Building,]
 Nirmal Lifestyle, L.B.S.Marg,]
 Mulund West, Mumbai 400080]
]
4. **Rajeev Ramesh Jain**]
 Director]
 Aged : 44 Years, Indian Inhabitant]
 Occupation :- Business,]
 1901, Takshashila, Nirmal Nagar,]
 Mulund Goregaon Link Road,]
 Mulund West, Mumbai – 400080]
]
5. **Dharmesh Sardarmal Jain**]
 Managing Director]
 Aged:- not known, Indian Inhabitant]
 Occupation :- Business]
 Nirmal House, Nirmal Nagar,]
 Goregaon Link Road,]
 Mulund West, Mumbai – 400 080]
]
6. **Ramesh Atmaram Patankar**]
 Additional Director]
 D/18. St.Lowrence High School]
 Opp St. Lowrence High School,]
 Shivaji Nagar, Wagle Estate]
 Thane West 400604]
- .. Respondents

ALONGWITH

CRIMINAL WRIT PETITION NO.323 OF 2021

1. **Sandeep Ravindranath Nair**]
 Adult Aged 39 Years]
]
2. **Surya Sasidharan**]
 Adult Aged 34 Years]
 Indian Inhabitants,]
 Both the Parties residing at]
 A/701, Dheeraj Garden,]

Poonam Nagar, Andheri East,
Mumbai 400093

]
]

.. Petitioners

VERSUS

1. **The State of Maharashtra**
Govt. of Maharashtra,
Mumbai through the Public Prosecutor,
High Court, Appellate Side, Mumbai

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2. **The Senior Inspector of Police of
Mulund Police Station**

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]

3. **M/s Nirmal Lifestyle Ltd.@ Nirmal
Group of Companies**

]
]
]

4. **Rajeev Ramesh Jain**
Director
Aged : 44 Years, Indian Inhabitant
1901, Takshashila, Nirmal Nagar,
Mulund Goregaon Link Road,
Mulund West, Mumbai – 400080

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5. **Dharmesh Sardarmal Jain**
Managing Director
Nirmal House, Nirmal Nagar,
Goregaon Link Road,
Mulund West, Mumbai – 400 080

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6. **Ramesh Atmaram Patankar**
Additional Director
D/18. St.Lowrence High School
Opp St. Lowrence High School,
Shivaji Nagar, Wagle Estate
Thane West 400604

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]

.. Respondents

ALONGWITH

CRIMINAL WRIT PETITION NO.307 OF 2021

1. **Jay Navin Dedhia**
Adult Aged 39 Years,

]
]]

2. **Raj Navin Dedhia**]
 Adult Aged 36 Years,]
 Both are Indian Inhabitants,]
 Presently residing at]
 B/1501, Shree Vijaya Residency,]
 Chiwda Gully, Lalbaug, Mumbai]
 400012]

.. Petitioners

VERSUS

1. **The State of Maharashtra**]
 Govt. of Maharashtra,]
 Mumbai through the Public Prosecutor,]
 High Court, Appellate Side, Mumbai]
]
2. **The Senior Inspector of Police of**]
Mulund Police Station]
 Subhash Road, Mumbai 400080]
3. **M/s Nirmal Lifestyle Ltd.@ Nirmal**]
Group of Companies]
 a Ltd Company Registered under]
 Companies Act, 1956,]
 3rd Floor, Multiplex Building,]
 Nirmal Lifestyle, L.B.S.Marg,]
 Mulund West, Mumbai 400080]
]
4. **Rajeev Ramesh Jain**]
 Director]
 Aged : 44 Years, Indian Inhabitant]
 Occupation :- Business,]
 1901, Takshashila, Nirmal Nagar,]
 Mulund Goregaon Link Road,]
 Mulund West, Mumbai – 400080]
]
5. **Dharmesh Sardarmal Jain**]
 Managing Director]
 Aged:- not known, Indian Inhabitant]
 Occupation :- Business]
 Nirmal House, Nirmal Nagar,]
 Goregaon Link Road,]

Mulund West, Mumbai – 400 080	]	
	]	
6. Ramesh Atmaram Patankar	]	
Additional Director	]	
D/18. St.Lowrence High School	]	
Opp St. Lowrence High School,	]	
Shivaji Nagar, Wagle Estate	]	
Thane West 400604	]	.. Respondents

ALONGWITH

CRIMINAL WRIT PETITION NO.6412 OF 2019

1. Mathew T. Poulose	]	
Adult Aged 63 Years, Indian Inhabitant,	]	
Presently residing at	]	
703, Topaz,Nirmal Lifestyles,	]	
LBS Marg, Mulund (West),	]	
Mumbai – 400080	]	.. Petitioner

VERSUS

1. The State of Maharashtra	]
Govt. of Maharashtra,	]
Mumbai through the Public Prosecutor,	]
High Court, Appellate Side, Mumbai	]
	]
2. The Senior Inspector of Police of	]
Mulund Police Station	]
Subhash Road, Mumbai 400080	]
	]
3. M/s Nirmal Lifestyle Ltd.@ Nirmal	]
Group of Companies	]
a Ltd Company Registered under	]
Companies Act, 1956,	]
3 rd Floor, Multiplex Building,	]
Nirmal Lifestyle, L.B.S.Marg,	]
Mulund West, Mumbai 400080	]
	]

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|-------------------------------------|---|----------------|
| 4. Rajeev Ramesh Jain |] | |
| Director |] | |
| Aged : 44 Years, Indian Inhabitant |] | |
| Occupation :- Business, |] | |
| 1901, Takshashila, Nirmal Nagar, |] | |
| Mulund Goregaon Link Road, |] | |
| Mulund West, Mumbai – 400080 |] | |
| |] | |
| 5. Dharmesh Sardarmal Jain |] | |
| Managing Director |] | |
| Aged:- not known, Indian Inhabitant |] | |
| Occupation :- Business |] | |
| Nirmal House, Nirmal Nagar, |] | |
| Goregaon Link Road, |] | |
| Mulund West, Mumbai – 400 080 |] | |
| |] | |
| 6. Ramesh Atmaram Patankar |] | |
| Additional Director |] | |
| D/18. St.Lowrence High School |] | |
| Opp St. Lowrence High School, |] | |
| Shivaji Nagar, Wagle Estate |] | |
| Thane West 400604 |] | .. Respondents |

ALONGWITH

CRIMINAL WRIT PETITION NO.6413 OF 2019

- | | | |
|---------------------------------------|---|----------------|
| 1. Rajib Ajit Barua |] | |
| Adult, Aged 43 Years, Occ : Service |] | |
| |] | |
| 2. Shila Ajit Barua |] | |
| Adult, Aged 65 Years, Occ : Housewife |] | |
| Indian Inhabitant, |] | |
| Presently residing at |] | |
| B-402, Mayuresh Park, Lake Road, |] | |
| Bhandup West, Mumbai – 400078 |] | .. Petitioners |

VERSUS

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|---------------------------------------|---|
| 1. The State of Maharashtra |] |
| Govt. of Maharashtra, |] |
| Mumbai through the Public Prosecutor, |] |

- | | | |
|---|---|-----------------------|
| High Court, Appellate Side, Mumbai |] | |
| |] | |
| 2. The Senior Inspector of Police of
Mulund Police Station |] | |
| Subhash Road, Mumbai 400080 |] | |
| |] | |
| 3. M/s Nirmal Lifestyle Ltd.@ Nirmal
Group of Companies |] | |
| a Ltd Company Registered under |] | |
| Companies Act, 1956, |] | |
| 3 rd Floor, Multiplex Building, |] | |
| Nirmal Lifestyle, L.B.S.Marg, |] | |
| Mulund West, Mumbai 400080 |] | |
| |] | |
| 4. Rajeev Ramesh Jain |] | |
| Director |] | |
| Aged : 44 Years, Indian Inhabitant |] | |
| Occupation :- Business, |] | |
| 1901, Takshashila, Nirmal Nagar, |] | |
| Mulund Goregaon Link Road, |] | |
| Mulund West, Mumbai – 400080 |] | |
| |] | |
| 5. Dharmesh Sardarmal Jain |] | |
| Managing Director |] | |
| Aged:- not known, Indian Inhabitant |] | |
| Occupation :- Business |] | |
| Nirmal House, Nirmal Nagar, |] | |
| Goregaon Link Road, |] | |
| Mulund West, Mumbai – 400 080 |] | |
| |] | |
| 6. Ramesh Atmaram Patankar |] | |
| Additional Director |] | |
| D/18. St.Lowrence High School |] | |
| Opp St. Lowrence High School, |] | |
| Shivaji Nagar, Wagle Estate |] | |
| Thane West 400604 |] | |
| |] | .. Respondents |

ALONGWITH
CRIMINAL WRIT PETITION NO.6414 OF 2019

Subhash Ulhas Sawant	]	
Adult, Aged 41 Years, Occ : Service	]	
Indian Inhabitant,	]	
Presently residing at	]	
Flat No.:-405, Rustomjee Azzianno	]	
I wing, Saket Road,	]	
Thane West 400601	]	.. Petitioner

VERSUS

- | | | |
|---|---|--|
| 1. The State of Maharashtra |] | |
| Govt. of Maharashtra, |] | |
| Mumbai through the Public Prosecutor, |] | |
| High Court, Appellate Side, Mumbai |] | |
| |] | |
| 2. The Senior Inspector of Police of |] | |
| Mulund Police Station |] | |
| Subhash Road, Mumbai 400080 |] | |
| |] | |
| 3. M/s Nirmal Lifestyle Ltd.@ Nirmal |] | |
| Group of Companies |] | |
| a Ltd Company Registered under |] | |
| Companies Act, 1956, |] | |
| 3 rd Floor, Multiplex Building, |] | |
| Nirmal Lifestyle, L.B.S.Marg, |] | |
| Mulund West, Mumbai 400080 |] | |
| |] | |
| 4. Rajeev Ramesh Jain |] | |
| Director |] | |
| Aged : 44 Years, Indian Inhabitant |] | |
| Occupation :- Business, |] | |
| 1901, Takshashila, Nirmal Nagar, |] | |
| Mulund Goregaon Link Road, |] | |
| Mulund West, Mumbai – 400080 |] | |

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|-------------------------------------|---|-----------------------|
| 5. Dharmesh Sardarmal Jain |] | |
| Managing Director |] | |
| Aged:- not known, Indian Inhabitant |] | |
| Occupation :- Business |] | |
| Nirmal House, Nirmal Nagar, |] | |
| Goregaon Link Road, |] | |
| Mulund West, Mumbai – 400 080 |] | |
| |] | |
| 6. Ramesh Atmaram Patankar |] | |
| Additional Director |] | |
| D/18. St.Lowrence High School |] | |
| Opp St. Lowrence High School, |] | |
| Shivaji Nagar, Wagle Estate |] | |
| Thane West 400604 |] | .. Respondents |

ALONGWITH

CRIMINAL WRIT PETITION NO.6415 OF 2019

- | | | |
|---------------------------------|---|-----------------------|
| 1. Lalit Suresh Patkar |] | |
| Adult, Aged 43 years |] | |
| |] | |
| 2. Prajakta Lalit Patkar |] | |
| Adult, Aged 38 Years, |] | |
| Indian Inhabitant, |] | |
| Presently residing at |] | |
| B 101, Mayuresh Park, |] | |
| Lake Road, Bhandup-West, |] | |
| Mumbai - 400078 |] | .. Petitioners |

VERSUS

- | | |
|---|---|
| 1. The State of Maharashtra |] |
| Govt. of Maharashtra, |] |
| Mumbai through the Public Prosecutor, |] |
| High Court, Appellate Side, Mumbai |] |
| |] |
| 2. The Senior Inspector of Police of |] |
| Mulund Police Station |] |
| Subhash Road, Mumbai 400080 |] |

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|--|---|-----------------------|
| 3. M/s Nirmal Lifestyle Ltd.@ Nirmal Group of Companies |] | |
| a Ltd Company Registered under |] | |
| Companies Act, 1956, |] | |
| 3 rd Floor, Multiplex Building, |] | |
| Nirmal Lifestyle, L.B.S.Marg, |] | |
| Mulund West, Mumbai 400080 |] | |
| |] | |
| 4. Rajeev Ramesh Jain |] | |
| Director |] | |
| Aged : 44 Years, Indian Inhabitant |] | |
| Occupation :- Business, |] | |
| 1901, Takshashila, Nirmal Nagar, |] | |
| Mulund Goregaon Link Road, |] | |
| Mulund West, Mumbai – 400080 |] | |
| |] | |
| 5. Dharmesh Sardarmal Jain |] | |
| Managing Director |] | |
| Aged:- not known, Indian Inhabitant |] | |
| Occupation :- Business |] | |
| Nirmal House, Nirmal Nagar, |] | |
| Goregaon Link Road, |] | |
| Mulund West, Mumbai – 400 080 |] | |
| |] | |
| 6. Ramesh Atmaram Patankar |] | |
| Additional Director |] | |
| D/18. St.Lowrence High School |] | |
| Opp St. Lowrence High School, |] | |
| Shivaji Nagar, Wagle Estate |] | |
| Thane West 400604 |] | |
| |] | .. Respondents |

ALONGWITH

CRIMINAL WRIT PETITION NO.6416 OF 2019

- | | |
|-------------------------------------|---|
| 1. Atul Mahadev Povale |] |
| Adult, Aged 45 Years, Occ : Service |] |
| Indian Inhabitant, |] |
| 2. Mrs.Shubhangi Atul Povale |] |

Adult, Aged 40 Years, Indian]
 Inhabitant,]
 Presently residing at 1401/4A]
 Dreams, LBS Road,]
 Bhandup (W), Mumbai - 400078]

.. Petitioner

VERSUS

1. **The State of Maharashtra**]
 Govt. of Maharashtra,]
 Mumbai through the Public Prosecutor,]
 High Court, Appellate Side, Mumbai]
]
2. **The Senior Inspector of Police of**]
Mulund Police Station]
 Subhash Road, Mumbai 400080]
3. **M/s Nirmal Lifestyle Ltd.@ Nirmal**]
Group of Companies]
 a Ltd Company Registered under]
 Companies Act, 1956,]
 3rd Floor, Multiplex Building,]
 Nirmal Lifestyle, L.B.S.Marg,]
 Mulund West, Mumbai 400080]
]
4. **Rajeev Ramesh Jain**]
 Director]
 Aged : 44 Years, Indian Inhabitant]
 Occupation :- Business,]
 1901, Takshashila, Nirmal Nagar,]
 Mulund Goregaon Link Road,]
 Mulund West, Mumbai – 400080]
]
5. **Dharmesh Sardarmal Jain**]
 Managing Director]
 Aged:- not known, Indian Inhabitant]
 Occupation :- Business]
 Nirmal House, Nirmal Nagar,]
 Goregaon Link Road,]
 Mulund West, Mumbai – 400 080]
]

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|-----------------------------------|---|-----------------------|
| 6. Ramesh Atmaram Patankar |] | |
| Additional Director |] | |
| D/18. St.Lowrence High School |] | |
| Opp St. Lowrence High School, |] | |
| Shivaji Nagar, Wagle Estate |] | |
| Thane West 400604 |] | .. Respondents |

ALONGWITH

CRIMINAL WRIT PETITION NO.6417 OF 2019

- | | | |
|---------------------------------|---|-----------------------|
| 1. Sreejesh Ramachandran |] | |
| Adult, Aged 39 Years |] | |
| |] | |
| 2. Binitha Pillai |] | |
| Adult, Aged 32 Years, |] | |
| Both are Indian Inhabitants, |] | |
| Presently residing at |] | |
| B-405, Maitri Icon, |] | |
| P135/36, Secotr 19, |] | |
| Kharghar, |] | |
| Navi Mumbai 410 210 |] | .. Petitioners |

VERSUS

- | | |
|---|---|
| 1. The State of Maharashtra |] |
| Govt. of Maharashtra, |] |
| Mumbai through the Public Prosecutor, |] |
| High Court, Appellate Side, Mumbai |] |
| |] |
| 2. The Senior Inspector of Police of |] |
| Mulund Police Station |] |
| Subhash Road, Mumbai 400080 |] |
| |] |
| 3. M/s Nirmal Lifestyle Ltd.@ Nirmal |] |
| Group of Companies |] |
| a Ltd Company Registered under |] |
| Companies Act, 1956, |] |
| 3 rd Floor, Multiplex Building, |] |
| Nirmal Lifestyle, L.B.S.Marg, |] |
| Mulund West, Mumbai 400080 |] |

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|-------------------------------------|---|----------------|
| 4. Rajeev Ramesh Jain |] | |
| Director |] | |
| Aged : 44 Years, Indian Inhabitant |] | |
| Occupation :- Business, |] | |
| 1901, Takshashila, Nirmal Nagar, |] | |
| Mulund Goregaon Link Road, |] | |
| Mulund West, Mumbai – 400080 |] | |
| |] | |
| 5. Dharmesh Sardarmal Jain |] | |
| Managing Director |] | |
| Aged:- not known, Indian Inhabitant |] | |
| Occupation :- Business |] | |
| Nirmal House, Nirmal Nagar, |] | |
| Goregaon Link Road, |] | |
| Mulund West, Mumbai – 400 080 |] | |
| |] | |
| 6. Ramesh Atmaram Patankar |] | |
| Additional Director |] | |
| D/18. St.Lowrence High School |] | |
| Opp St. Lowrence High School, |] | |
| Shivaji Nagar, Wagle Estate |] | |
| Thane West 400604 |] | .. Respondents |

ALONGWITH

CRIMINAL WRIT PETITION NO.6418 OF 2019

- | | | |
|-------------------------------------|---|----------------|
| 1. Lalita Keshav Phadke |] | |
| Adult, Aged 39 Years |] | |
| |] | |
| 2. Keshav Moreshwar Phadke |] | |
| Adult, Aged 68 Years, |] | |
| Indian Inhabitants, |] | |
| Presently residing at |] | |
| A/703, Patidar Complex, |] | |
| Kannamear Nagar-2, Vikhroli (East), |] | |
| Mumbai - 400083 |] | .. Petitioners |

VERSUS

1. **The State of Maharashtra**]
Govt. of Maharashtra,]
Mumbai through the Public Prosecutor,]
High Court, Appellate Side, Mumbai]
]
2. **The Senior Inspector of Police of**]
Mulund Police Station]
Subhash Road, Mumbai 400080]
3. **M/s Nirmal Lifestyle Ltd.@ Nirmal**]
Group of Companies]
a Ltd Company Registered under]
Companies Act, 1956,]
3rd Floor, Multiplex Building,]
Nirmal Lifestyle, L.B.S.Marg,]
Mulund West, Mumbai 400080]
]
4. **Rajeev Ramesh Jain**]
Director]
Aged : 44 Years, Indian Inhabitant]
Occupation :- Business,]
1901, Takshashila, Nirmal Nagar,]
Mulund Goregaon Link Road,]
Mulund West, Mumbai – 400080]
]
5. **Dharmesh Sardarmal Jain**]
Managing Director]
Aged:- not known, Indian Inhabitant]
Occupation :- Business]
Nirmal House, Nirmal Nagar,]
Goregaon Link Road,]
Mulund West, Mumbai – 400 080]
]
6. **Ramesh Atmaram Patankar**]
Additional Director]
D/18. St.Lowrence High School]
Opp St. Lowrence High School,]
Shivaji Nagar, Wagle Estate]
Thane West 400604]

.. Respondents

ALONGWITH
CRIMINAL WRIT PETITION NO.6419 OF 2019

- | | | |
|-----------------------------------|---|-----------------------|
| 1. Sachin Vasant Marge |] | |
| Adult, Aged 41 Years, Occ Service |] | |
| |] | |
| 2. Shilpa Sachin Marge |] | |
| Adult, Aged 36 Years, Occ Service |] | |
| Adult, Aged 32 Years, |] | |
| Both are Indian Inhabitants, |] | |
| Presently residing at |] | |
| C/104, Matoshree Park, |] | |
| Udayshree Society, |] | |
| Bhandup East, Mumbai 400042 |] | |
| | | .. Petitioners |

VERSUS

- | | |
|---|---|
| 1. The State of Maharashtra |] |
| Govt. of Maharashtra, |] |
| Mumbai through the Public Prosecutor, |] |
| High Court, Appellate Side, Mumbai |] |
| |] |
| 2. The Senior Inspector of Police of
Mulund Police Station |] |
| Subhash Road, Mumbai 400080 |] |
| |] |
| 3. M/s Nirmal Lifestyle Ltd.@ Nirmal
Group of Companies |] |
| a Ltd Company Registered under |] |
| Companies Act, 1956, |] |
| 3 rd Floor, Multiplex Building, |] |
| Nirmal Lifestyle, L.B.S.Marg, |] |
| Mulund West, Mumbai 400080 |] |
| |] |
| 4. Rajeev Ramesh Jain |] |
| Director |] |
| Aged : 44 Years, Indian Inhabitant |] |
| Occupation :- Business, |] |
| 1901, Takshashila, Nirmal Nagar, |] |
| Mulund Goregaon Link Road, |] |
| Mulund West, Mumbai – 400080 |] |

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|-------------------------------------|---|-----------------------|
| 5. Dharmesh Sardarmal Jain |] | |
| Managing Director |] | |
| Aged:- not known, Indian Inhabitant |] | |
| Occupation :- Business |] | |
| Nirmal House, Nirmal Nagar, |] | |
| Goregaon Link Road, |] | |
| Mulund West, Mumbai – 400 080 |] | |
| |] | |
| 6. Ramesh Atmaram Patankar |] | |
| Additional Director |] | |
| D/18. St.Lowrence High School |] | |
| Opp St. Lowrence High School, |] | |
| Shivaji Nagar, Wagle Estate |] | |
| Thane West 400604 |] | .. Respondents |

ALONGWITH

CRIMINAL WRIT PETITION NO.6420 OF 2019

- | | | |
|------------------------------------|---|----------------------|
| 1. Anilkumar Ramnivas Gupta |] | |
| Adult, Aged 35 Years, |] | |
| Indian Inhabitant, |] | |
| Occupation :Servoce |] | |
| Presently residing at |] | |
| 2802, A Wing, Flying Kite, Neptune |] | |
| Living Point, Bhandup West, |] | |
| Mumbai 400078 |] | .. Petitioner |

VERSUS

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|---|---|
| 1. The State of Maharashtra |] |
| Govt. of Maharashtra, |] |
| Mumbai through the Public Prosecutor, |] |
| High Court, Appellate Side, Mumbai |] |
| |] |
| 2. The Senior Inspector of Police of |] |
| Mulund Police Station |] |
| Subhash Road, Mumbai 400080 |] |
| |] |
| 3. M/s Nirmal Lifestyle Ltd.@ Nirmal |] |
| Group of Companies |] |

- a Ltd Company Registered under]
Companies Act, 1956,]
3rd Floor, Multiplex Building,]
Nirmal Lifestyle, L.B.S.Marg,]
Mulund West, Mumbai 400080]
]
4. **Rajeev Ramesh Jain**]
Director]
Aged : 44 Years, Indian Inhabitant]
Occupation :- Business,]
1901, Takshashila, Nirmal Nagar,]
Mulund Goregaon Link Road,]
Mulund West, Mumbai – 400080]
]
5. **Dharmesh Sardarmal Jain**]
Managing Director]
Aged:- not known, Indian Inhabitant]
Occupation :- Business]
Nirmal House, Nirmal Nagar,]
Goregaon Link Road,]
Mulund West, Mumbai – 400 080]
]
6. **Ramesh Atmaram Patankar**]
Additional Director]
D/18. St.Lowrence High School]
Opp St. Lowrence High School,]
Shivaji Nagar, Wagle Estate]
Thane West 400604]
- .. Respondents

ALONGWITH

CRIMINAL WRIT PETITION NO.6421 OF 2019

1. **Girish Subhash Patil**]
Adult, Aged 37 Years]
]
2. **Harshika Girish Patil**]
Adult, Aged 36 Years]
Both are Indian Inhabitants,]
Presently residing at]

Khushi Heights, Flat No.504,
Opp Nitinraj Hotel,
Poona link Rd, Katemanivali,
Kalyan E 421306

.. Petitioners

VERSUS

1. **The State of Maharashtra**
Govt. of Maharashtra,
Mumbai through the Public Prosecutor,
High Court, Appellate Side, Mumbai
2. **The Senior Inspector of Police of
Mulund Police Station**
Subhash Road, Mumbai 400080
3. **M/s Nirmal Lifestyle Ltd.@ Nirmal
Group of Companies**
a Ltd Company Registered under
Companies Act, 1956,
3rd Floor, Multiplex Building,
Nirmal Lifestyle, L.B.S.Marg,
Mulund West, Mumbai 400080
4. **Rajeev Ramesh Jain**
Director
Aged : 44 Years, Indian Inhabitant
Occupation :- Business,
1901, Takshashila, Nirmal Nagar,
Mulund Goregaon Link Road,
Mulund West, Mumbai – 400080
5. **Dharmesh Sardarmal Jain**
Managing Director
Aged:- not known, Indian Inhabitant
Occupation :- Business
Nirmal House, Nirmal Nagar,
Goregaon Link Road,
Mulund West, Mumbai – 400 080
6. **Ramesh Atmaram Patankar**
Additional Director

D/18. St.Lowrence High School	]	
Opp St. Lowrence High School,	]	
Shivaji Nagar, Wagle Estate	]	
Thane West 400604	]	.. Respondents

ALONGWITH

CRIMINAL WRIT PETITION NO.217 OF 2020

Chandrashekhar Digamberrao Patil	]	
Adult, Aged 36 Years	]	
Indian Inhabitant,	]	
Presently residing at	]	
80, Aditya Niwas,	]	
Manik Nagar, Taroda Road,	]	
Nanded- 431605	]	.. Petitioner

VERSUS

- | | |
|---|---|
| 1. The State of Maharashtra |] |
| Govt. of Maharashtra, |] |
| Mumbai through the Public Prosecutor, |] |
| High Court, Appellate Side, Mumbai |] |
| |] |
| 2. The Senior Inspector of Police of |] |
| Mulund Police Station |] |
| Subhash Road, Mumbai 400080 |] |
| |] |
| 3. M/s Nirmal Lifestyle Ltd.@ Nirmal |] |
| Group of Companies |] |
| a Ltd Company Registered under |] |
| Companies Act, 1956, |] |
| 3 rd Floor, Multiplex Building, |] |
| Nirmal Lifestyle, L.B.S.Marg, |] |
| Mulund West, Mumbai 400080 |] |
| |] |
| 4. Rajeev Ramesh Jain |] |
| Director |] |
| Aged : 44 Years, Indian Inhabitant |] |
| Occupation :- Business, |] |

- 1901, Takshashila, Nirmal Nagar,]
 Mulund Goregaon Link Road,]
 Mulund West, Mumbai – 400080]
]
5. **Dharmesh Sardarmal Jain**]
 Managing Director]
 Aged:- not known, Indian Inhabitant]
 Occupation :- Business]
 Nirmal House, Nirmal Nagar,]
 Goregaon Link Road,]
 Mulund West, Mumbai – 400 080]
]
6. **Ramesh Atmaram Patankar**]
 Additional Director]
 D/18. St.Lowrence High School]
 Opp St. Lowrence High School,]
 Shivaji Nagar, Wagle Estate]
 Thane West 400604] .. Respondents

ALONGWITH

CRIMINAL WRIT PETITION NO.218 OF 2020

1. **Vijayakumar Ananthachary Obla**]
 Adult, Aged 59 Years, Occ Service]
]
2. **Asha Kuppusamy Solai**]
 Age 56 Years, Occ :-Service]
 Indian Inhabitants,]
 Presently residing at]
 K & M, 1st Floor,]
 Rajparis Pancharatnam Apts,]
 82, Kamarajar Salai]
 Virugambakam, Chennai 600092] .. Petitioners

VERSUS

1. **The State of Maharashtra**]
 Govt. of Maharashtra,]
 Mumbai through the Public Prosecutor,]
 High Court, Appellate Side, Mumbai]

- | | | |
|--|--------------------------------------|---------------------------------|
| 2. The Senior Inspector of Police of Mulund Police Station
Subhash Road, Mumbai 400080 |]
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] | |
| 3. M/s Nirmal Lifestyle Ltd.@ Nirmal Group of Companies
a Ltd Company Registered under Companies Act, 1956,
3 rd Floor, Multiplex Building,
Nirmal Lifestyle, L.B.S.Marg,
Mulund West, Mumbai 400080 |]
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] | |
| 4. Rajeev Ramesh Jain
Director
Aged : 44 Years, Indian Inhabitant
Occupation :- Business,
1901, Takshashila, Nirmal Nagar,
Mulund Goregaon Link Road,
Mulund West, Mumbai – 400080 |]
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] | |
| 5. Dharmesh Sardarmal Jain
Managing Director
Aged:- not known, Indian Inhabitant
Occupation :- Business
Nirmal House, Nirmal Nagar,
Goregaon Link Road,
Mulund West, Mumbai – 400 080 |]
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] | |
| 6. Ramesh Atmaram Patankar
Additional Director
D/18. St.Lowrence High School
Opp St. Lowrence High School,
Shivaji Nagar, Wagle Estate
Thane West 400604 |]
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] |
- .. Respondents**

ALONGWITH

CRIMINAL WRIT PETITION NO.219 OF 2020

- | | |
|--------------------------------|---|
| 1. Jagdish Prasad Singh |] |
| Adult, Indian Inhabitant, |] |

Presently residing at]
D2/501, THE RUTU ESTATE,]
Ghodbunder Road,]
Patlipada, Thane (West) 400607]

.. **Petitioner**

VERSUS

1. **The State of Maharashtra**]
Govt. of Maharashtra,]
Mumbai through the Public Prosecutor,]
High Court, Appellate Side, Mumbai]
]
2. **The Senior Inspector of Police of**]
Mulund Police Station]
Subhash Road, Mumbai 400080]
]
3. **M/s Nirmal Lifestyle Ltd.@ Nirmal**]
Group of Companies]
a Ltd Company Registered under]
Companies Act, 1956,]
3rd Floor, Multiplex Building,]
Nirmal Lifestyle, L.B.S.Marg,]
Mulund West, Mumbai 400080]
]
4. **Rajeev Ramesh Jain**]
Director]
Aged : 44 Years, Indian Inhabitant]
Occupation :- Business,]
1901, Takshashila, Nirmal Nagar,]
Mulund Goregaon Link Road,]
Mulund West, Mumbai – 400080]
]
5. **Dharmesh Sardarmal Jain**]
Managing Director]
Aged:- not known, Indian Inhabitant]
Occupation :- Business]
Nirmal House, Nirmal Nagar,]
Goregaon Link Road,]
Mulund West, Mumbai – 400 080]
]

6. **Ramesh Atmaram Patankar**]
 Additional Director]
 D/18. St.Lowrence High School]
 Opp St. Lowrence High School,]
 Shivaji Nagar, Wagle Estate]
 Thane West 400604] .. Respondents

ALONGWITH

CRIMINAL WRIT PETITION NO.220 OF 2020

1. **Sarang Digamberrao Patil**]
 Adult, Aged 40 Years, Indian]
 Inhabitant,]
 Presently residing at]
 80, Aditya Nivas, Manik Nagar,]
 Taroda Road, Nanded 431605] .. Petitioner

VERSUS

1. **The State of Maharashtra**]
 Govt. of Maharashtra,]
 Mumbai through the Public Prosecutor,]
 High Court, Appellate Side, Mumbai]
]
 2. **The Senior Inspector of Police of**]
Mulund Police Station]
 Subhash Road, Mumbai 400080]
]
 3. **M/s Nirmal Lifestyle Ltd.@ Nirmal**]
Group of Companies]
 a Ltd Company Registered under]
 Companies Act, 1956,]
 3rd Floor, Multiplex Building,]
 Nirmal Lifestyle, L.B.S.Marg,]
 Mulund West, Mumbai 400080]
]
 4. **Rajeev Ramesh Jain**]
 Director]
 Aged : 44 Years, Indian Inhabitant]

- Occupation :- Business,]
 1901, Takshashila, Nirmal Nagar,]
 Mulund Goregaon Link Road,]
 Mulund West, Mumbai – 400080]
]
5. **Dharmesh Sardarmal Jain**]
 Managing Director]
 Aged:- not known, Indian Inhabitant]
 Occupation :- Business]
 Nirmal House, Nirmal Nagar,]
 Goregaon Link Road,]
 Mulund West, Mumbai – 400 080]
]
6. **Ramesh Atmaram Patankar**]
 Additional Director]
 D/18. St.Lowrence High School]
 Opp St. Lowrence High School,]
 Shivaji Nagar, Wagle Estate]
 Thane West 400604]
- .. Respondents

ALONGWITH

CRIMINAL WRIT PETITION NO.221 OF 2020

1. **Sagar Kantilal Dedhia**]
 Adult Aged 41 Years]
]
2. **Nehal Sagar Dedhia**]
 Adult, Aged 37 years,]
 Both are Indian Inhabitants,]
 Presently residing at]
 502, Amartaru III, Nagardas]
 X Road, Patel Wadi,]
 Andheri East, Mumbai 400069]
]
- .. Petitioners

VERSUS

1. **The State of Maharashtra**]
 Govt. of Maharashtra,]

- Mumbai through the Public Prosecutor,]
 High Court, Appellate Side, Mumbai]
]
2. **The Senior Inspector of Police of**]
Mulund Police Station]
 Subhash Road, Mumbai 400080]
]
3. **M/s Nirmal Lifestyle Ltd.@ Nirmal**]
Group of Companies]
 a Ltd Company Registered under]
 Companies Act, 1956,]
 3rd Floor, Multiplex Building,]
 Nirmal Lifestyle, L.B.S.Marg,]
 Mulund West, Mumbai 400080]
]
4. **Rajeev Ramesh Jain**]
 Director]
 Aged : 44 Years, Indian Inhabitant]
 Occupation :- Business,]
 1901, Takshashila, Nirmal Nagar,]
 Mulund Goregaon Link Road,]
 Mulund West, Mumbai – 400080]
]
5. **Dharmesh Sardarmal Jain**]
 Managing Director]
 Aged:- not known, Indian Inhabitant]
 Occupation :- Business]
 Nirmal House, Nirmal Nagar,]
 Goregaon Link Road,]
 Mulund West, Mumbai – 400 080]
]
6. **Ramesh Atmaram Patankar**]
 Additional Director]
 D/18. St.Lowrence High School]
 Opp St. Lowrence High School,]
 Shivaji Nagar, Wagle Estate]
 Thane West 400604]
- .. Respondents

ALONGWITH
CRIMINAL WRIT PETITION NO.222 OF 2020

Arif Ebrahim Dasurkar	]	
Adult, Aged 45 Years,	]	
Indian Inhabitant,	]	
Presently residing at	]	
1103, Manav Co-Op.Housing Society,	]	
Jangal Mangal Road, Bhandup,	]	
Mumbai – 400 078	]	.. Petitioner

VERSUS

- | | | | |
|-----------|--|---|--|
| 1. | The State of Maharashtra |] | |
| | Govt. of Maharashtra, |] | |
| | Mumbai through the Public Prosecutor, |] | |
| | High Court, Appellate Side, Mumbai |] | |
| | |] | |
| 2. | The Senior Inspector of Police of |] | |
| | Mulund Police Station |] | |
| | Subhash Road, Mumbai 400080 |] | |
| | |] | |
| 3. | M/s Nirmal Lifestyle Ltd.@ Nirmal |] | |
| | Group of Companies |] | |
| | a Ltd Company Registered under |] | |
| | Companies Act, 1956, |] | |
| | 3 rd Floor, Multiplex Building, |] | |
| | Nirmal Lifestyle, L.B.S.Marg, |] | |
| | Mulund West, Mumbai 400080 |] | |
| | |] | |
| 4. | Rajeev Ramesh Jain |] | |
| | Director |] | |
| | Aged : 44 Years, Indian Inhabitant |] | |
| | Occupation :- Business, |] | |
| | 1901, Takshashila, Nirmal Nagar, |] | |
| | Mulund Goregaon Link Road, |] | |
| | Mulund West, Mumbai – 400080 |] | |
| | |] | |
| 5. | Dharmesh Sardarmal Jain |] | |

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|-------------------------------------|---|-----------------------|
| Managing Director |] | |
| Aged:- not known, Indian Inhabitant |] | |
| Occupation :- Business |] | |
| Nirmal House, Nirmal Nagar, |] | |
| Goregaon Link Road, |] | |
| Mulund West, Mumbai – 400 080 |] | |
| |] | |
| |] | |
| 6. Ramesh Atmaram Patankar |] | |
| Additional Director |] | |
| D/18. St.Lowrence High School |] | |
| Opp St. Lowrence High School, |] | |
| Shivaji Nagar, Wagle Estate |] | |
| Thane West 400604 |] | .. Respondents |

ALONGWITH

CRIMINAL WRIT PETITION NO.251 OF 2020

- | | | |
|-------------------------------------|---|-----------------------|
| 1. Arvind Virendra Bartaria |] | |
| Adult Aged 48 Years |] | |
| |] | |
| 2. Chanchal Arvind Bartaria |] | |
| Adult, Aged 42 Years, |] | |
| Indian Inhabitants, |] | |
| All are presently residing at |] | |
| 503, Sanskruti, Sec 42, Nerul West, |] | |
| Navi Mumbai 400706 |] | |
| |] | .. Petitioners |

VERSUS

- | | |
|---|---|
| 1. The State of Maharashtra |] |
| Govt. of Maharashtra, |] |
| Mumbai through the Public Prosecutor, |] |
| High Court, Appellate Side, Mumbai |] |
| |] |
| 2. The Senior Inspector of Police of |] |
| Mulund Police Station |] |
| Subhash Road, Mumbai 400080 |] |
| |] |

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|--|---|-----------------------|
| 3. M/s Nirmal Lifestyle Ltd.@ Nirmal Group of Companies |] | |
| a Ltd Company Registered under |] | |
| Companies Act, 1956, |] | |
| 3 rd Floor, Multiplex Building, |] | |
| Nirmal Lifestyle, L.B.S.Marg, |] | |
| Mulund West, Mumbai 400080 |] | |
| |] | |
| 4. Rajeev Ramesh Jain |] | |
| Director |] | |
| Aged : 44 Years, Indian Inhabitant |] | |
| Occupation :- Business, |] | |
| 1901, Takshashila, Nirmal Nagar, |] | |
| Mulund Goregaon Link Road, |] | |
| Mulund West, Mumbai – 400080 |] | |
| |] | |
| 5. Dharmesh Sardarmal Jain |] | |
| Managing Director |] | |
| Aged:- not known, Indian Inhabitant |] | |
| Occupation :- Business |] | |
| Nirmal House, Nirmal Nagar, |] | |
| Goregaon Link Road, |] | |
| Mulund West, Mumbai – 400 080 |] | |
| |] | |
| 6. Ramesh Atmaram Patankar |] | |
| Additional Director |] | |
| D/18. St.Lowrence High School |] | |
| Opp St. Lowrence High School, |] | |
| Shivaji Nagar, Wagle Estate |] | |
| Thane West 400604 |] | |
| |] | .. Respondents |

ALONGWITH

CRIMINAL WRIT PETITION NO.254 OF 2020

- | | |
|-------------------------------------|---|
| 1. Namita Ramdas Thombare |] |
| Adult Aged 33 Years |] |
| |] |
| 2. Ramdas Pandurang Thombare |] |
| Adult, Aged 38 Years, |] |

Both are Indian Inhabitants,]
 Presently residing at]
 2/8, Pumjabi Chawl, Sanghani Estate,]
 Ghatkopar (West), Mumbai 400086]
]

.. Petitioners

VERSUS

1. **The State of Maharashtra**]
 Govt. of Maharashtra,]
 Mumbai through the Public Prosecutor,]
 High Court, Appellate Side, Mumbai]
]
2. **The Senior Inspector of Police of**]
Mulund Police Station]
 Subhash Road, Mumbai 400080]
]
3. **M/s Nirmal Lifestyle Ltd.@ Nirmal**]
Group of Companies]
 a Ltd Company Registered under]
 Companies Act, 1956,]
 3rd Floor, Multiplex Building,]
 Nirmal Lifestyle, L.B.S.Marg,]
 Mulund West, Mumbai 400080]
]
4. **Rajeev Ramesh Jain**]
 Director]
 Aged : 44 Years, Indian Inhabitant]
 Occupation :- Business,]
 1901, Takshashila, Nirmal Nagar,]
 Mulund Goregaon Link Road,]
 Mulund West, Mumbai – 400080]
]
5. **Dharmesh Sardarmal Jain**]
 Managing Director]
 Aged:- not known, Indian Inhabitant]
 Occupation :- Business]
 Nirmal House, Nirmal Nagar,]
 Goregaon Link Road,]
 Mulund West, Mumbai – 400 080]
]

6. **Ramesh Atmaram Patankar**]
 Additional Director]
 D/18. St.Lowrence High School]
 Opp St. Lowrence High School,]
 Shivaji Nagar, Wagle Estate]
 Thane West 400604] .. Respondents

ALONGWITH

CRIMINAL WRIT PETITION NO.328 OF 2021

1. **Ankit Singh Siwach**]
 Adult, Aged 37 Years]
 Indian Inhabitant,]
 Presently residing at]
 1401, A-Wing, Green Heritage, Plot]
 No.79/80, Sector 20, Kharghar,]
 Navi Mumbai -410201]
] .. Petitioner

VERSUS

1. **The State of Maharashtra**]
 Govt. of Maharashtra,]
 Mumbai through the Public Prosecutor,]
 High Court, Appellate Side, Mumbai]
]
 2. **The Senior Inspector of Police of**]
Mulund Police Station]
]
 3. **M/s Nirmal Lifestyle Ltd.@ Nirmal**]
Group of Companies]
]
 4. **Rajeev Ramesh Jain**]
 Director]
 Aged : 44 Years, Indian Inhabitant]
 1901, Takshashila, Nirmal Nagar,]
 Mulund Goregaon Link Road,]
 Mulund West, Mumbai – 400080]
]

- | | | |
|-----------------------------------|---|-----------------------|
| 5. Dharmesh Sardarmal Jain |] | |
| Managing Director |] | |
| Nirmal House, Nirmal Nagar, |] | |
| Goregaon Link Road, |] | |
| Mulund West, Mumbai – 400 080 |] | |
| |] | |
| 6. Ramesh Atmaram Patankar |] | |
| Additional Director |] | |
| D/18. St.Lowrence High School |] | |
| Opp St. Lowrence High School, |] | |
| Shivaji Nagar, Wagle Estate |] | |
| Thane West 400604 |] | .. Respondents |

Mr.Sanjiv Sawant with Mr.Abhishek Matkar, i/b
Mr.Amit G. Kasbe with Ms.Nikita D. Shelar and
Ms.Akansha Gaikwad for the Petitioners.

Mr.Vishal Jathar i/b MDP & Partners for
Respondent Nos.3 to 6.

Mr.S.R.Shinde, APP and Mr.J.P.Yagnik, APP for
State.

**CORAM : S.S.SHINDE &
MANISH PITALE, JJ.**

RESERVED ON : 01st FEBRUARY, 2021
PRONOUNCED ON : 11th FEBRUARY, 2021

JUDGMENT (PER MANISH PITALE, J.)

1. Rule. Rule made returnable forthwith. With the consent of learned counsel appearing for the parties, heard finally.

2. Since the issue involved in these writ petitions is common, we think it appropriate to dispose of all these twenty three writ petitions by common judgment.

3. These writ petitions are filed by the petitioners seeking a direction to respondent No.2 i.e. Senior Inspector of Police, Mulund Police Station, Mumbai for registration of FIR against respondent Nos.3 to 6 in these writ petitions for the offences punishable under Sections 420 and 406 of the Indian Penal Code (hereinafter referred to as, “**the IPC**”), based on written complaints submitted by the petitioners in February, 2020 before respondent No.2. According to the petitioners, the grievances stated by them in such a written complaints, disclose all the ingredients of the aforesaid offences and that therefore, FIRs ought to be registered against respondent Nos.3 to 6.

4. The case of the petitioners before this Court is that respondent No.3-M/s Nirmal Lifestyle Ltd. @ Nirmal Group of Companies, of which respondent No.4 is a Director, respondent No.5 is the Managing Director and respondent No.6 is the Additional Director, had floated a project for construction of the residential complex in a property at Mulund (West), Mumbai. The petitioners had booked flats in the said residential complex and they had also made substantial payments towards the same. According to the petitioners, respondent Nos.3 to 6 had promised to deliver possession of completed flats within 36 months.

5. But, respondent Nos.3 to 6 failed to start the project and in January, 2017, they stated their inability to commence the construction and hand over the flats to the petitioners. Looking to the inability of respondent Nos.3 to 6 to abide by their promise of handing over possession of flats, the petitioners sought refund of their amounts and submitted requests for cancellation of booking of

flats. Respondent Nos.3 to 6 stated that they would return the amount with 9% interest per annum and in this manner, settlements were arrived at. Memoranda of Understanding were executed between the petitioners on one hand and respondent Nos.3 to 6 on the other.

6. But, thereafter, respondent Nos.3 to 6 did not honour their commitment as per the Memoranda of Understanding, despite the fact that the petitioners approached the said respondents repeatedly. When respondent Nos.3 to 6 did not respond to the repeated requests made by the petitioners, they were constrained to lodge complaints in February, 2020, against respondent Nos.3 to 6 before respondent No.2, alleging offences committed under the IPC as well as under the provisions of the Maharashtra Ownership Flats (Regulations of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 and the Real Estate (Regulation and Development) Act, 2016. As there was no progress in pursuance of the complaints lodged by the petitioners, they were constrained to file the present writ petitions.

7. Respondent Nos.3 to 6 appeared before this Court in these writ petitions and through their counsel, expressed their desire to finally settle the dispute with the petitioners so that criminal proceedings were not initiated against them. In pursuance of the same, affidavits were filed in these writ petitions by respondent No.4 on behalf of respondent Nos.3 to 6, giving detailed chart as to the manner in which amounts would be returned to the petitioners in installments from February, 2021 to December, 2021.

8. Upon perusal of the affidavits and the charts annexed thereto, learned counsel for the petitioners, submitted that there was lack of proper authorisation to respondent No.4 in order to file affidavits and to promise return of amounts in terms of the charts annexed to the affidavits. It was submitted that the petitioners had an apprehension that all the directors of respondent No.3 would not abide by their commitment before this Court, as a result of which, it was difficult for the petitioners to agree to the said proposal made on behalf of respondent Nos.3 to 6.

9. After the writ petitions were adjourned on a few occasions to sort out the aforesaid issue, affidavits were filed in some of the writ petitions. Finally, respondent Nos.3 to 6 placed on record before this Court a Resolution dated 25th January, 2021 whereby the Board of Directors of respondent No.3-company authorised respondent No.4-Rajeev Jain, Director of respondent No.3-company, to sign affidavits-in-reply, consent terms and other documents before this Court to settle all the matters mentioned in Annexure 'A' attached to the Resolution. The said Annexure states the names of parties of all the twenty three writ petitions filed before this Court on behalf of the petitioners. Learned counsel for respondent Nos.3 to 6 also placed on record a fresh affidavit dated 29th January, 2021 that addresses the outstanding issues raised by the petitioners. Such affidavit dated 29th January, 2021 and Resolution dated 25th January, 2021 alongwith Annexure 'A' was placed on record in Cri.Writ Petition (St) No.308 of 2021 (Cri.Writ Petition No.328 of 2021). Alongwith the said affidavit, Exhibit 'B' is the chart, finally agreed between the parties with regard to the amounts due and the manner of payments of monthly installments, to be made to the petitioners

between February, 2021 and December, 2021. The said affidavit dated 29th January, 2021 alongwith its exhibits and the Resolution dated 25th January, 2021 alongwith Annexure 'A' are treated as having been filed in all the twenty three petitions before this Court.

10. The relevant portion of the said affidavit dated 29th January, 2021 reads as under :

“24. I say that the Parties have settled the disputes on the following terms and conditions :

a These Respondents agree to repay an amount of Rs.25,01,852/- (Rupees Twenty Five Lakhs One Thousand Eight Hundred Fifty Two Only) towards the interest on principal amount of Rs.16,56,293/- (Rupees Sixteen Lakhs Fifty Six Thousand Two Hundred Ninety Three Only) and with interest at rate of 9% per annum from the date of booking till 31st October 2020 being the “Payable Amount” from February 2021 till 31st December 2021, in equal instalments;

b. These Respondents further agree to pay further interest (by reducing balance on Principal Amount) of Rs.1,24,154/- (One Lakh Twenty Four Thousand One Hundred Fifty Four Only) from February 2021 till December 2021 (**“Further Interest”**). The said Further Interest will be paid along with the last Instalment i.e. in the month of December 2021;

c. The Petitioners confirm, declare and undertake that upon receipt of the total sum of Rs.25,01,852/- (Rupees Twenty Five Lakhs One Thousand Eight Hundred Fifty Two Only) along with the said Further Interest of Rs.1,24,154/- (One Lakh Twenty Four Thousand one Hundred Fifty Four Only), all allegations, claims, contentions, disputes and proceedings/Interim Applications and/or Criminal Writ Petitions including the said Petition/cases, made or initiated by the Petitioners against these Respondents before any judicial or quasi-judicial forum/s and/or High Court and/or authority and/or Police Authority having power to adjudicate any alleged grievances filed by the Petitioners are/shall be

withdrawn forthwith.

d. The parties agree and undertake to this Hon'ble Court to keep these Consent Terms strictly confidential and do not disclose the existence of any term or terms hereof to any third party under any circumstances whatever. The parties further agree that, the Advocates for the parties shall alone be entitled to retain a copy of these consent terms.”

11. Since the parties have agreed to settle their dispute in above terms, it would be appropriate to dispose of the writ petitions in terms of such settlement. The settlement terms as well as chart at Exhibit 'B', filed on behalf of respondent Nos.3 to 6, are treated to be part of this judgment. Accordingly, the writ petitions are disposed of.

12. It is directed that the petitioners in these writ petitions and respondent Nos.3 to 6 shall strictly abide by the aforesaid terms of settlement. Respondent Nos.3 to 6 are directed to pay the installment of February, 2021 before 20th February, 2021 and to pay the installments from March, 2021 to December, 2021 on or before 10th day of each month.

13. Rule is made absolute in terms of the above order.

(MANISH PITALE, J.)

(S.S.SHINDE, J.)