

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

943 CRIMINAL WRIT PETITION NO.45 OF 2022

DADASAHEB KUSHABAPU PAWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr. A.S. Kale (For Talekar and Associates),
Advocate for the petitioner.
Mr. D.R. Kale, P.P. for respondents.

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CORAM : **V.K. JADHAV AND
SANDIPKUMAR C. MORE, JJ.**

DATE : 22-02-2022.

ORDER :

1. Learned A.P.P. on instructions from Mr. Sandip Mitke, Deputy Superintendent of Police, Shrirampur, submits that the Superintendent of Police, District Ahmednagar has passed order on 14.10.2021 directing thereby to give protection to the petitioner on protection fees.
2. We have already recorded in our order dated 08.02.2022 that in terms of Resolution dated 4th January 2018 the protection is not required to be charged to such a person whose income is below Rs. 50,000/- per month. It appears that the Superintendent of Police, Ahmednagar has not given opportunity of being heard to the petitioner before

passing the order dated 14.10.2021. Learned Counsel for the petitioner submits that the income of the petitioner is less than Rs. 50,000/- per month and as such he is not required to pay protection fees.

3. Learned A.P.P., on instructions, submits that the opportunity of being heard will be given to the petitioner to substantiate his claim about the income and an order afresh will be passed without getting influenced by the earlier order dated 14.10.2021.

4. In view of the same, we direct the petitioner to appear before the Superintendent of Police, Ahmednagar on 25.02.2022. Superintendent of Police, Ahmednagar shall hear the petitioner and take decision afresh about the police protection to be granted to the petitioner with or without protection fees. We direct the Superintendent of Police, Ahmednagar to decide the said application within four weeks from the date of this order.

5. Criminal Writ Petition is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)

(V.K. JADHAV, J.)