

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

930 CRIMINAL WRIT PETITION NO.322 OF 2021

SUNANDA W/O. SUNIL JADHAV @ SUNANDA D/O.
DAGDUJI JADHAV

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Patil H V.
APP for Respondent 1 : Mr. M M Nerlikar

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CORAM:SARANG V. KOTWAL & BHARAT P.DESHPANDE, JJ.

Dated: June 29, 2022

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PER COURT :-

1. This petition is preferred mainly for following two prayers :-

“B. By issuing writ of mandamus or any other appropriate writ, order or directions in the nature of writ of mandamus the respondent nos.1 to 4 may kindly be directed to comply the order dated 02.11.2019 passed by the Maharashtra State Human Rights Commission, Mumbai in Case No.4311 of 2018 and take necessary steps for preventing violation of human rights of mother of the petitioner.

C. By issuing writ of mandamus or any other appropriate writ, order or directions in the nature of writ of mandamus the respondents may kindly be directed to give custody of Mrs.

aaa/-

Mankawati Dagduji Jadhav to the petitioner or allow the petitioner to meet her mother who is residing with respondent no.5 to 9 as per their convenience at least once in a week”.

2. Learned counsel for the petitioner submits that, during pendency of this petition, Mrs.Mankawati Jadhav has passed away and, therefore, prayer clause ‘C’ does not survive. He further submits that, as far as prayer clause ‘B’ is concerned, it was regarding registration of the FIR against brother of the petitioner and his wife. The offence was registered and police have already filed ‘C’ summary in this case. He submits that, therefore this prayer also does not survive. He seeks liberty to withdraw this petition as it has rendered infructuous. Learned counsel further submitted that, the petitioner would lodge a protest petition before the Court where ‘C’ summary is filed by the police.

3. In view thereof, nothing remains in this petition and it is accordingly disposed off.

(BHARAT P. DESHPANDE, J.) (SARANG V. KOTWAL, J.)

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