

with the hearing of the aforesaid Interim Application / Petition. The petitioner also has no objection to Mr. Sethna arguing the aforesaid Interim Application / Petition. Mr. Sethna states that further direction be given to the Registry to accept the vakalatnama of the Advocate on record on behalf of the petitioner. Accordingly, the Registry to accept the vakalatnama filed on behalf of Ms. Sheetal Shah.

3. By this petition, the petitioner has sought several reliefs, which we propose to deal, one after the other.

4. As far as prayer clause (A) is concerned, the same reads as under;

“(A) The Hon’ble Court be pleased to pass orders for an SIT team led by IPS Police Officer Shri. Sanjay Barve and having IPS Police Officers Shri. Sanjay Pandey (Hon’ble CP), Shri Ashutosh Dumbare (SID), Shri Atul Chandra Kulkarni, Shri Ritesh Kumar (CID), Shri Nair (of NIA) to investigate and take necessary action in the matter of crimes done against Mrs. Sheetal Shah. The investigation be a court monitored investigation which is to continue till all grievances of the Petitioner are investigated and necessary action is taken.”

There is absolutely no ground made out to grant the said relief, and hence, the said prayer, is rejected.

5. As far as prayer clause (B) is concerned, the same reads as under;

“(B) The Income Tax Commissioner be ordered to close the Petitioner’s Pancard and her sons Pancards immediately within 2 days time of receiving the Petitioner’s Applications. The Petitioner be granted liberty to apply for new Pancards after the Pancards are expeditiously cancelled. Indemnity be granted to the Petitioner and her sons from the grave economic crimes and activities that are taking place under the Petitioner’s pancard and her sons pancards by others. Several bank accounts and other Financial holdings have been instituted under the Petitioner’s name and her sons names without their knowledge, consent or permission and hence the Petitioner be granted liberty to apply to Banks and Financial Institutes enquiring about the Bank accounts and Financial Holdings being held under their names as well as being held under the HUF’s of which the Petitioner and her sons are members and coparceners.

The Petitioner be granted liberty to file applications to the Chartered Accountant, Mr. Mayur Shah asking for all relevant details requiring by the Petitioner. The CA Mr. Mayur Shah, has been mentioned in the statements recorded in the FIR’s and he has been filing the returns of the Petitioner since her marriage in 1994, he had created back dated entries and he is having complete details of the Petitioner and her sons Financial moveable and immoveable assets, Bank accounts, financial holdings and all relevant details of the Petitioner and her sons and the HUF’s which are not known to the Petitioner and her sons.

The Petitioner is granted liberty to file applications before any Person or society or Government Officers in order to get property papers related to properties under the Petitioner’s name or her son’s names or if the Petitioner is apprehending that the Petitioner and her sons are beneficiaries of the Property. The person or the Society or the Government Officers are to immediately provide the related property papers within 2 days time as asked within the Petitioner’s applications.

The SIT Team is instructed to accompany the Petitioner during

the submission of her applications to the concerned and to ensure that the documents with the details are received by the Petitioner from the concerned within 2 working days time. The SIT Team is to expeditiously get all details needed from all possible sources including the Chartered Accountants, Banks, Financial Institutes for the investigation into the grave economic crimes done against the Petitioner and her sons.”

Needless to state, that it is always open for the petitioner to approach the appropriate authorities with respect to her grievances, in accordance with law.

6. As far as prayer clause (C) is concerned, the same reads as under;

“(C) The Petitioner is granted permission to apply to Banks and Financial Institutes requesting for closure of any Bank Accounts or Financial holdings held under the Petitioner’s name or her Sons names. The Banks or Financial Institutes are to immediately comply with the Petitioner’s Applications for all accounts being held under the Petitioner’s name and hr sons names as being First Account Holders irrespective of who is the second Holder. The Petitioner be granted liberty to file applications to the Banks and Financial Institutes to remove the second holders name in any Financial Holding being held under her name or her sons names.”

The petitioner is always at liberty to initiate or file such applications, before the authorities concerned, as permissible, in accordance with law.

7. As far as prayer clause (D) is concerned, the same reads as under;

“D) The Current Hon’ble CP Shri Sanjay Pandey is to continue his posting as the Hon’ble CP and cannot be allowed to be transferred/posted elsewhere or cannot be allowed to retire till the Criminal Writ Petition no 3402 of 2019 is ongoing and till the Petitioner submits her affidavit stating that all crimes have been investigated and necessary appropriate action has been taken in the matter of all crimes done against the Petitioner and her sons.”

The aforesaid prayer cannot be granted and as such the said prayer is rejected.

8. As far as prayer clause (E) is concerned, the same reads as under;

“E) This case be kept open till the Petitioner submits via written affidavit that the Crimes have been investigated and necessary action has been taken against the accused by the SIT team.”

The said prayer being vague, cannot be considered.

9. As far as prayer clauses (F) & (G) are concerned, the same reads as under;

“F) Issue orders for the Respondent no.2,3 & 4 to grant appointments to the Petitioner within 2 weeks time upon receiving applications from the Petitioner. The Respondents

no.2,3 & 4 are directed to take applications/representations from the Petitioner and to take the necessary action in the interest of Justice. The Petitioner is granted liberty to pursue these orders in the interest of Justice after the completion of her pending cases in the State of Maharashtra.

G) The office of the Respondent no.2,3 & 4 are directed ensure the compliance of the Bombay High Court orders and to immediately facilitate for the appointments for the Petitioner to meet the Respondents no.2,3 &4 upon receiving the Petitioner's Application. Strict Action will be instituted against the Office of the Respondent no.2,3 & 4 by the Hon'ble Bombay High Court in the event of non compliance of the Orders by the Offices of Respondent no.2,3 & 4."

As far as the said prayer, for granting appointment to the petitioner to meet respondent nos.2,3 and 4, is concerned, the same cannot be granted. Needless to state, that it is open for the petitioner to approach the authorities, if she so desires with respect to her grievances.

10. As far as prayer clause (H) is concerned, the same reads as under;

"H) The Petitioner is granted liberty to file any further prayers during the Case hearings of Criminal Writ Petition no. 3402 of 2019 in the interest of Justice and due to any change in circumstances."

As far as prayer clause (H) is concerned, since the petitioner has filed an interim application in the aforesaid petition, the same will not survive.

11. The petition is accordingly disposed of on the aforesaid terms.
12. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)

(S. S. SHINDE, J.)