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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2230 OF 2023

Shivamsingh Vithalsingh Raghuvanshi	PETITIONER
VERSUS	
The State of Maharashtra and Others	RESPONDENTS
.....	
Mr. P. K. Lakhotiya, AGP for Respondents - State	
.....	

WITH
WRIT PETITION NO. 2238 OF 2023

Rajashri Vithalsingh Raghuvanshi	PETITIONER
VERSUS	
The State of Maharashtra and Others	RESPONDENTS
.....	
Mr. S. G. Karlekar, AGP for Respondents - State	
.....	

[CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.]

DATE : OCTOBER 26, 2023

ORDER :

1. On 27th February, 2023, we had passed the following order:

"1. The petitioner has stated on oath, in paragraph 4, that he has given a bribe of Rs.11,00,000/- to respondent No.6 Shri Mukund Shrirampant Deshpande on 24th July, 2016 as gratification for granting permanent approval to his appointment as a caretaker in Apang Niwasi Vidyalaya. He has been cheated and a fraud has been played upon him by Shri. Deshpande.

The petitioner has submitted a complaint to the Police Station as well as S.D.P.P., Selu. He has also submitted the complaint to the Superintendent of Police.

2. The learned AGP submits that the law is settled that the bribe giver and bribe taker, both are guilty of misdeeds.

3. The learned advocate for the petitioner submits, on instructions, that the petitioner be granted liberty to delete paragraph 4 and prayer clause 'D'.

4. Since a very serious issue has been put forth, we deem it appropriate that the petitioner should file an affidavit in this Court seeking liberty to delete paragraph 4 and prayer clause 'D'.

5. The learned advocate for the petitioner submits that such an affidavit would be filed within 15 days.

6. Stand over to 15th March, 2023 in the "passing orders' category."

2. Until 15th September, 2023, the Petitioners had not complied with the directions of this Court and the matters were therefore adjourned. Once again, the matters were adjourned on 20th September, 2023. On 10th October, 2023, we had passed following order:

"1. None for the petitioner.

2. Our first order dated 27.02.2023 passed in the first petition indicates that the Petitioner was directed to file an affidavit if he desires to delete paragraph 4, in which serious allegations have been made against a particular person. No such affidavit has been filed.

3. List both these petitions on 26.10.2023 for passing dismissal orders.”

3. The Office remark indicates that still the Petitioners have not filed affidavit so also none appeared for the Petitioners at the first call. We granted a pass over and none appeared for the Petitioners even at the second call. Nobody has mentioned on behalf of them. Learned advocates representing the Petitioners have not filed leave note.

4. Despite placing these matters in the category of passing order for dismissal and despite granting pass over, none of the advocates representing the petitioners are present.

5. In view of the above, both these matters are dismissed for want of prosecution.

[Y. G. KHOBRAGADE]
JUDGE

[RAVINDRA V. GHUGE]
JUDGE