

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

**WRIT PETITION NO.4032 OF 2021
WITH
CIVIL APPLICATION NO.11152 OF 2021
AND
CIVIL APPLICATION NO.14017 OF 2021**

1. Ashok Shahadeo Bhokare
Age: 35 yrs. Occu: Agri.
2. Suman Namedeo Bhokare
Age: 55 yrs. Occu: Agri.
3. Dilip Kundlik Bhokare
Age: 50 yrs. Occu: Agri.
4. Sakharam Kundlik Bhokare
Age: 55 yrs. Occu: Agri.
5. Bhausahab Bapurao Bhokare
Age: 48 yrs. Occu: Agri.
6. Appasaheb Baban Bhokare
Age: 32 yrs. Occu: Agri.
7. Pawan Uttamrao Kulkarni
Age: 21 yrs. Occu: Agri.
8. Vilas Dinkar Bhosale
Age: 53 yrs. Occu: Agri.
9. Ankush Rambhau Suskar
Age: 60 yrs. Occu: Agri.
10. Chhayabai Ramrao Nanawane
Age: 55 yrs. Occu: Agri.
11. Ramesh Pandharinath Kadam
Age: 34 yrs. Occu: Agri.
12. Jyoti Asaram Pawar
Age: 30 yrs. Occu: Agri.

All above R/o. Arvi, Tal. Shirur (Ka) Dist. Beed

... Petitioners

Versus

1. The State of Maharashtra,
Through the Secretary,
Water Resources Department
Maharashtra State,
Mantralaya, Mumbai - 32

2. The Executive Director
GMIDC, Aurangabad

3. District Collector,
Beed, Dist. Beed

4. The Sub- Divisional Officer
Beed, Dist. Beed

5. The Superintending Engineer
Parli Circle, Parli
Tal. Parli, Dist. Beed

6. The Executive Engineer
Beed Irrigation Division,
Beed, Dist. Beed.

... Respondents

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Appearance in Writ Petition No.4032/2012

Mr. V. P. Latange, Advocate for the Petitioners
Mr. P. K. Lakhotiya, AGP for Respondent Nos.1, 3 and 4
Mr. Sudhir Balerao, Advocate for Respondent Nos.2, 5 and 6

Appearance in respect of Notice issued under Section 340 of CrPC

Mr. V. D. Sapkal [Senior Advocate] with Mr. Mukul S. Kulkarni for Mr. V. P.
Latange

Mr. M. S. Bhosale, Advocate for Petitioner Nos.1 , 4, 5 and 9

Mr. V. S. Kadam, Advocate for Petitioner Nos.2, 8, 11 and 12

Mr. Arun Shejwal, Advocate for Petitioner Nos.3, 6 and 10

Mr. K. F. Shingare, Advocate for Petitioner No.7

Mr. P. K. Lakhotiya, AGP for Respondent Nos.1, 3 and 4

Mr. Sudhir Bhalerao, Advocate for Respondent Nos.2, 5 and 6

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CORAM

**: NITIN W. SAMBRE &
S. G. CHAPALGAONKAR, JJ.**

RESERVED ON

: 25.04.2023

PRONOUNCED ON

: 30.06.2023

JUDGMENT : [PER S. G. CHAPALGAONKAR, J.]

1. The petitioners have approached this Court under Article 226 of the Constitution of India seeking directions against the respondents to disburse the amount of compensation to them, in pursuance of land Acquisition award dated 09/09/2019 passed in file No.2019/LNQ/SR/134/97 by Respondent No.4 under provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 [hereinafter referred to as 'the Act, 2013' for short].

2. The petitioners contend that, they are agriculturists having lands in Gat Nos.3, 28, 43, 45, 46, 48 & 104 at village Arvi, Taluka Shirur (Ka), District Beed. On 08/06/1996 by way of a private negotiation, the portion of the aforesaid lands has been acquired by respondents for Uttala Budruk Minor Irrigation (Right) Canal without passing of award and release of compensation. After petitioners constant persuasion, respondent no.4/Land Acquisition Officer, Beed passed award dated 09/09/2019. The compensation to the tune of Rs.2,03,34,665/- has been assessed as indicated in the E-statement. On the same day, respondent no.4 instructed respondent no.6/Executive Engineer, Beed Irrigation Division, to raise the demand of amount as per the award with respondent No.1/State of Maharashtra and disburse compensation to the petitioners directly through R.T.G.S. According to the petitioners, respondent no.6 had forwarded a proposal to respondent no.1 for release of the amount as per the award then funds are made available. However, respondent no.6 withheld the amount without assigning any reason. The petitioners addressed representation dated 04/02/2020 to the respondents seeking release of compensation, however, no amount is disbursed in pursuance of the award.

3. Pertinently, the petitioners have placed on record a copy of Land acquisition award dated 09/09/2019 along with a approval by respondent no.3/Dist. Collector. The petitioners have also placed on record the copies of communications dated 30/11/2019 and 19/12/2019 exchanged between respondent no.4 and respondent no.6 for release of compensation amount in their favor of as per E-Statement. The petitioners have further placed on record a copy of representation dated 04/02/2020 addressed to respondent authorities seeking disbursement of the compensation amount in terms of the award dated 09/09/2019. All the petitioners seems to have signed on said representation. One more communication dated 01/02/2021 is placed on record of this Court, purportedly addressed by respondent no.4 to respondent no.6, instructing him to release amount as per award.

4. The writ petition was placed for admission before this Court on 03/03/2021. After hearing the learned Advocate Mr. V. P. Latange appearing for the petitioners, notice was issued to the respondents. Thereafter, writ petition was heard on 29/10/2021 along with Civil Application No.11152/2021 filed by the petitioners seeking directions against the respondents to deposit the amount as per the award. This Court, noted that, learned Advocate Mr. S. G. Bhalerao appearing for respondent nos.4 & 6, on instructions, does not dispute that the amount is required to be paid to the petitioners. Accordingly, respondent/authorities were permitted to deposit the amount as per the award in this Court.

5. In pursuance of the aforesaid order, on 24/11/2021 respondent No.6 deposited award amount with the Registry of this Court. Thereafter, the petitioners moved another Civil Application No.14017/2021 seeking permission to withdraw the amount deposited by the respondents. The

contents of the said civil application are verified by petitioner no.8 - Vilas Dinkar Bhosale and he has been identified by the learned Advocate Mr. Latange and his thumb impression has been duly attested before the Section Officer of this Court.

6. On 07/01/2022, Mr. Chetan Suresh Thakur, Assistant Engineer, Upper Kundalika Canal Division, Beed tendered his affidavit in reply on behalf of respondent nos.5 & 6, stating that, the file bearing Land Acquisition No.134/1997 is not available in record. Though the amount as per the award has been deposited by way of abundant precaution, serious doubt has been expressed regarding genuineness of letter of award and other documents relied by the petitioners. This Court took note of the contents of the affidavit tendered on behalf of respondent nos.5 & 6. Considering the controversy raised, respondent no.3/Collector was directed to personally verify the original record and submit his report about the genuineness of document annexed to writ petition at Page No.14 [award dated 07/09/2019] within a period of two weeks. The respondent no.3 personally verified the record, interrogated with the petitioners and submitted his detailed enquiry report to this court consisting of in all 57 documents. The concluding para of the said report states as under:

“ In the light of above referred facts and circumstances, I have come to the final conclusion that the alleged demand proposal of land acquisition has been prepared elsewhere and not by the office of S.D.O. Beed. Same has been sent unauthorizedly to office of Executive Engineer, Beed Irrigation Dept. Beed. In spite of taking search from all concerned departments, no confirmation about the file no.134/1997. The said demand proposal seems to be illegal and false as no record is available with any of the department. Someone has played fraud with Govt. and the amount so received from Govt. on the basis of alleged demand proposal could not be disbursed as prayed in the petition.”

7. Upon taking cognizance of the said report, direction was issued to serve a copy of the same to the petitioners as well as respondent nos.2, 5 and 6 for their response. The matter was further adjourned to 04/02/2022 for arguments of respective parties. However, on request of the learned Advocate appearing for the petitioners, the matter was further adjourned and it was taken up for hearing on 29/06/2022. At this stage, the learned Advocate appearing for the petitioners sought leave to amend petition and incorporate grounds challenging the report of Collector dated 27/01/2022. This Court granted such permission vide order dated 26.6.2022. Pertinently, no steps were taken by the petitioners to carry out the amendment. The matter was again taken up for hearing on 20/10/2022 when a last chance was granted to petitioners to carry out the amendment, however, no steps in this regard were taken.

8. Surprisingly, on 23/12/2022, learned Advocate Mr. Latange, on instructions of the petitioners, sought leave to withdraw the writ petition. However, learned AGP opposed prayer on the ground that, the report of respondent no.3/Collector dated 27/01/2022 submitted to this court depicts that, false and bogus claim for compensation has been persuaded by petitioners in this writ petition based on manipulated record. This Court took serious note of conduct of petitioners and directed them to remain present before the Registrar [Judicial]. The Registrar was directed to ascertain identity of each of the individuals on the basis of the documents as may be deemed necessary. The petitioners were also directed to produce documents to establish their identity. The Registrar was further directed to ascertain from each of the petitioners, if they have signed the Vakalatnama and instructed to file the present petition and then to withdraw the same.

9. The petitioners appeared before the learned Registrar [Judicial],

who ascertained their identity and made enquiry regarding the signatures appearing on the Vakalatnama. Pertinently, all the petitioners denied their signatures or thumb marks. They denied acquaintance with Advocate Mr. Latange. Petitioner nos.4, 5, 8 and 9 took stand that, they are illiterate and do not know how to sign, further denied thumb marks appearing against their names in the Vakalatnama. The Registrar [Judicial] placed his report dated 06/01/2023 along with the documents regarding identification of the petitioners for consideration of this Court. The concluding line of the report submitted by the Registrar [Judicial] states as under:

“All the petitioners have stated that the signatures and the thumb marks appearing against their names in vakalatnama are not their signatures and thumb marks. The petitioners have further stated that they have neither given any instruction to the Advocate Shri. V. P. Latange to file the petition on their behalf nor to withdraw the petition.”

10. This Court, on 09/01/2023, took note of the report submitted by the Registrar [Judicial] as well as the contents of report submitted by respondent no.3/Collector and found that, the petitioners are mischievously denying their signatures and thumb marks on Vakalatnama and also taking a bold stand that, they never instructed for filing the present writ petition or its withdrawal. Even the report of respondent no.3/Collector indicates element of forgery and manipulation of documents that is placed into service by the petitioners to canvass false claim. In that view of the matter, a notice under Section 340 of CrPC was issued to the petitioners as well as learned Advocate Mr. V. P. Latange appearing for the petitioners with a view to prima facie ascertain if offences specified in Section 195(1) (b) of CrPC attracts. At the same time, the Additional Government Pleader was directed to take instructions as to what action the learned Collector proposes to take in view of his observations as indicated above in his report submitted to this

Court. The amount deposited by respondent no.6 with the Registry of this Court was directed to be refunded and the matter was posted for further hearing on 23/01/2023.

11. On 23/01/2023, some of the petitioners appeared in person before this Court in pursuance of service of notice under Section 340 of CrPC. They were directed to establish their identity before the Registrar [Judicial] and granted liberty to respond to the notice under Section 340 of CrPC. On 16/02/2023, petitioners caused their appearance through different Advocates to defend the notice served under Section 340 of CrPC and sought time to file respective affidavits. On 12/04/2023, Mr. V. D. Sapkal Senior Advocate along with Advocate Mukul Kulkarni caused appearance on behalf of Advocate Mr. V. P. Latange, in response to notice served to him. The learned Advocates Mr. R. D. Biradar and Mr. Mahesh Bhosale caused their appearances on behalf of some petitioners and sought time to file their response to the notice served under Section 340 of CrPC.

12. On 21/04/2023, petitioner no.6 - Appasaheb Baban Bhokare, petitioner no.3 - Dilip Kundlik Bhokare and petitioner no.10 – Chhyabai Ramrao Nanaware appeared in person before this Court. The petitioner no.6 – Appasaheb informed that, he had been to the office of Mr. Latange and signed on blank papers. The petitioner no.3 - Dilip submitted that he has signed on Vakalatnama but he had never been to the office of the Advocate. The petitioner no.10 - Chhyabai submitted before this Court that her husband had visited the office of Mr. Latange. The petitioner no.1 - Ashok Bhokare admitted his signature on Vakalatnama. The petitioner nos.2, 3 and 9 claimed that they are illiterate persons and they never visited the office of the Advocate or signed Vakalatnama authorizing him to file the petition. The petitioner nos.2, 7 and 12 took

the stand that they never authorized the learned Advocate to file petition or signed the Vakalatnama. The learned Advocates appearing for the respective petitioners were permitted to file their affidavits.

13. The Advocate Mr. Latange submitted his affidavit in response to the notice under Section 340 of CrPC stating that, the writ petition had been filed during the period, when the Covid Pandemic was at its peak. Petitioner no.1 – Ashok Bhokare, petitioner no.6 - Appasaheb and petitioner no.8 – Vilas Dinkar Bhosale had been to his office and instructed him to file the writ petition releasing of compensation amount as per the award passed by respondent no.4/SDO. Advocate Mr. Ram Shripatrao Chalak was accompanied with them and he introduced petitioners. Even the petitioner – Namdeo Kundlik Bhokare and Ramrao Rangnath Nanaware were present along with the aforesaid persons. All of them introduced themselves and also shared the details of *inter-se* relationship. The certified copy of the award and the communications which have been made a part of the petition were handed over to him in original along with postal receipts of the representation made by them to the respondent/authorities. The affidavit filed by learned Advocate Mr. V.P. Latange further states that the Vakalatnama was signed by the persons, those were present in his office and the signatures of other petitioners were obtained by them at their respective places by giving reason that, the ladies and old age persons could not travel due to pandemic situation. The self-attested copies of Aadhar Card were also handed over to him. Mr. V. P. Latange, learned Advocate in his affidavit explained the circumstances leading to filing of the writ petition. His affidavit further states that, the Civil Application No.11152/2021 was verified before the Public Notary by petitioner no.8 - Vilas Dinkar Bhosale and Civil Application No.14017/2021 has been verified before the Section Officer of this Court. The affidavit of Advocate Mr Latange further

explains that, sufficient care had been taken before filing the writ petition as per the instructions of the petitioners. He states that, now, petitioners are mischievously denying the signatures on the Vakalatnama so also filing of writ petition, apprehending action against them.

14. The learned Advocate Mr. Latange placed on record the attested copies of the documents, those were handed over to him by the petitioners for filing of the writ petition. Pertinently, the affidavit of Advocate Mr. R. S. Chalak is filed indicating that the petitioners had visited the office of the learned Advocate Mr. Latange along with him and instructed to file the writ petition. Even the documents were handed over by them to the learned Advocate Mr. Latange.

15. The petitioners have filed respective affidavits explaining their stand. They are denying their signatures on the Vakalatnama so also the fact that, they had instructed the learned Advocate Mr. Latange to file present writ petition on their behalf. *Prima facie*, we are of the opinion that, the stand taken by the petitioners is afterthought. We have perused the affidavits submitted by the petitioners in response to the notice issued under Section 340 of CrPC. We have in-depth analyzed the conduct of the petitioners and inconsistency in their stand at different stages. We find that, the petitioners had made a detailed representation to the respondents/authorities before filing of the writ petition. Their names and signatures are appearing on such representations. One of such representation dated 04/02/2020 is made a part of record of this Court. Pertinently, respondent no.3/Collector has also caused detail inquiry as per the direction of this Court and submitted his report, which is preceded by the personal interrogation with the petitioners. Thereafter, the petitioners presented themselves before the Registrar [Judicial] of this Court and given statements retracting their concern with the proceedings

in this writ petition which was to ensure benefit to them only. Apparently, if prayers in petition would have been favorably considered, none other than petitioner was to be benefited. All the petitioners are close relatives of each other. The association of petitioners appears from inception of conspiracy.

16. We have heard the learned Advocates appearing for the petitioners and also perused their affidavits submitted in response to the notice issued under Section 340 CrPC. We have compared the stand taken by the petitioners during the inquiry conducted by respondent no.3/Collector, Registrar [Judicial] of this Court and the statement made in person before this Court. We have also analyzed their affidavits in light of the observations made in the reports of respondent no.3/Collector as well as Registrar [Judicial]. For purpose of brevity, we have prepared a chart in tabular form to compare inconsistency in the stand of the petitioners appearing on record of this Court, which reads thus :

STAND ADOPTED BY THE PETITIONERS

Name of Petitioners	Statement in Inquiry before the Collector	Statement before Registrar	Stand taken in Affidavit in reply	Statement made before this Hon'ble Court on 21.04.2023
Ashok S. Bhokare Petitioner No.1	Appeared before Collector Stated that area admesuring 0.10 R is not acquired as shown in Award: "Not aware which advocate has taken signature on Writ Petition" [Page 8 Para XI of Report of Collector]	Not signed Vakalatnama	Admitted signature of Vakalatnama with explanation that it was taken on blank Vakalatnama by Uncle Namdeo (Page 52 Para 3) Visited the office of Advocate after inquiry by Collector (Page 53 Para 4)	Admits signature of Vakalatnama
Suman N. Bhokare Petitioner No.2		Not signed Vakalatnama	Not filed Writ Petition (Page 243 Para 11)	Not visited Advocate Not executed Vakalatnama
Dilip K. Bhokare Petitioner No.3		Not signed Vakalatnama	Brother Namdeo had took signature on blank Vakalatnama (Page 71 Para 12)	Admits signature of Vakalatnama
Sakharam K. Bhokare Petitioner No.4		Not sign or T.I. on Vakalatnama Do not know how to sign	Not signed on Vakalatnama (Page 101 Para 3)	

Bhausahab B. Bhokare Petitioner No.5		Not sign or T.I. on Vakalatnama Do not know how to sign	Not signed on Vakalatnama (Page 117 Para 3)	
Appasaheb B. Bhokare Petitioner No.6	Appeared before Collector Stated that instead of area admeasuring 0.33 R area of 0.04 to 0.05 R is acquired as shown in Award “Not aware which advocate has taken signature on Writ Petition” [Page 8 Para XI]	Not signed Vakalatnama	Visited the office of Advocate with Namdeo Bhokare and Adv. Chalak signed on blank papers (Page 136 Para 6.2) (Page 139 Para 7.5)	Visited the office of Adv. Latange and signed on blank papers No Vakalatnama was executed
Pawan U. Kulkarni Petitioner No.7		No sign or T.I. on Vakalatnama	Not signed on Vakalatnama (Page No. 226 Para 3)	
Vilas D. Bhosale Petitioner No.8		Not given T.I. on Vakalatnama Do not know how to sign	Admitted verifying the Civil Applications – One before Notary and other before Section Officer of this Hon’ble Court (Page 246-A Para 3 & Page 247 Para 4)	
Ankush R. Suskar Petitioner No.9		Do not know how to sign	Not signed on Vakalatnama (Page No.165 Para 3)	
Chhayabai Nanaware Petitioner No.10		Not signed Vakalatnama	Not visited office of Advocate (Page 187 Para 4.2) Not signed Vakalatnama (Page 191 Para 4.8)	Admits that her husband had visited the office of the Advocate
Ramesh P. Kadam Petitioner No.11		Not signed Vakalatnama	Not signed on Vakalatnama (Page 215 Para 5)	
Jyoti A. Pawar Petitioner No.12		Not signed Vakalatnama	Not signed on Vakalatnama (Page 218 Para 7)	

17. Pertinently, the petitioners are stating before this Court that neither their lands have been acquired nor have, they claimed compensation at any point of time. The respondent no.3/Collector in his report indicated that, the copy of award of File No.134/1997 itself appears to be manipulated documents. The report further indicates that, the Gazette Publications dated 09/02/2014 and 19/12/2016 about acquisition for Uttala Budruk M.I Project have never been printed by the Government press at Aurangabad, however falsely shown to be part of the record in so

called Land Acquisition File No.134/197.

18. As per claim put-forth before us by petitioners, the award has been shown to be passed by land acquisition officer at Beed regarding acquisition of lands of the petitioners in File No.134/1997 and false demand proposal seems to have been moved and attempts have been made to siphon the public funds by manipulating false letters/communications, purportedly, exchanged amongst Land Acquisition Officer/SDO, Beed and Executive Engineer, Irrigation Division, Beed. The huge amount of Rs.2,03,34,665/- has been procured from government under pretext of such award and sought to be transferred in accounts of petitioners through RTGS. In that view of the matter, we have no hesitation to prima facie hold that, the serious fraud on public funds has been attempted by the petitioners in connivance with certain Public Officers. Even the constitutional powers of this Court sought to be invoked as a tool by filing the present writ petition under Article 226 of Constitution of India on the basis of manipulated record complied with false pleadings on affidavit in this writ petition. However, to dismay petitioners, the fraud has been surfaced through affidavit-in-reply filed by respondent nos.4 to 6 and further report of inquiry submitted by respondent no.3/Collector.

19. The aforesaid material on record is sufficient to establish that, the writ petition has been filed on instructions given by the petitioners on the basis of documents supplied by them to Advocate Mr. V. P. Latange. However, after getting knowledge of adverse report submitted by respondent no.3/Collector to this Court and dispute raised by the respondent/authorities in their affidavit-in-reply regarding falsify of the documents, petitioners are retracting themselves and trying to canvass innocence by taking bold stand that, they had never instructed the

Advocate to file the present writ petition. In that view of the matter, the writ petition is liable to be dismissed with exemplary costs to be recovered from petitioners.

20. On consideration of material placed on record and scrutiny of document in detail, we have formed *prima facie* opinion that, offences specified under Section 195(1)(b)(ii) of CrPC would attract against petitioners, since they attempted to lay false and fraudulent claim on the basis of forged and manipulated documents in this writ petition. Even false pleadings supported by affidavits are tendered by or on behalf of the petitioners before this court, with a view to obtain orders that will facilitate siphoning of public funds. We hold that, Mr. V. P. Latange, learned Advocate appearing for the petitioners has duly explained his bonafides in presenting the writ petition as per instructions of the petitioners. Hence, we deem it fit to recall the notice issued under Section 340 of CrPC qua the learned Advocate Mr. V. P. Latange. However, for aforesaid reasons, we hold that *prima facie* case is made out against petitioners to initiate action u/s 340 of CrPC. We deem it appropriate to direct Registrar [Judicial] of this Court or authorized officer on his behalf to file complaint against petitioners for offences covered under Section 195(1)(b) of CrPC before jurisdictional Magistrate.

21. In our order dated 09/01/2023, District Collector, Beed was called upon to clarify as to what steps he proposes to take in view of the findings in his report regarding the manipulation of documents and attempted fraud to siphon the public funds. We find that, till this date, except making certain correspondence, no concrete steps have been taken to initiate the prosecution against the culprits. We have reason to believe that without participation of officers in charge in respective departments of respondents, manipulation of award and correspondence placed on

record of this court is not possible. Hence, we deem it appropriate to direct respondent no.3/ District Collector, Beed to initiate steps to lodge the prosecution / police report against the petitioners and known or unknown Officers, who are instrumental in facilitating fabrication and manipulation of false record that has been devised for filing this petition before us. Even officers who were gross negligent in discharging their official duties or facilitated culprits may be added as accused. We hope and trust that, police machinery would take serious view of the matter and cause in-depth investigation in time bound manner, based on complaint/report made by District Collector/Authorized Officer.

22. We make it clear that direction issued for initiating action against petitioners under Section 340 of CrPC is independent of police report to be lodged by District collector. The first is for offences specified under section 195 of CrPC committed on record of this court and second is towards fabrication and manipulation of record prior to filing of this writ petition and devised for lodging false claim before this Court.

23. In view of aforesaid discussion and findings recorded in foregoing paragraphs, we proceed to pass following order:

ORDER

- i) The writ petition is dismissed with total cost of Rs.1,00,000/- (One Lakh only) to be borne by each of the petitioner in equal proportion, else to be recovered as areas of land revenue.
- ii) The District Collector, Beed shall forthwith take steps to lodge FIR / police report through Authorized Officer not below the rank of Land Acquisition Officer against the petitioners, erring officers and other culprits responsible for manipulation/fabrication of documents like; land acquisition award, gazette notification, correspondence

between various offices, that has been relied for raising / prosecuting false claim for compensation and report compliance to this Court within Three (03) months from the date of this order.

- iii) The Registrar [Judicial] of this Court, himself or through his nominee, is directed to file complaint with Jurisdictional Magistrate, against petitioners (independent of prosecution directed under clause (ii) of this order) for offences committed on record of this Court, covered under Section 195 (i)(b) of CrPC as per observations made in this order and report compliance to this Court within three months from date of this order.
- iv) Notice issued under Section 340 of CrPC against Advocate Mr. V. P. Latange stands recalled.
- v) In view of dismissal of writ petition, pending civil applications are also disposed of.

(S. G. CHAPALGAONKAR, J.)

(NITIN W. SAMBRE, J.)

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