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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 4706 OF 2018

Aziz Ahmed Mohammed Salim

...Petitioner

Versus

1. The State of Maharashtra
2. Senior Inspector of Police,
Oshiwara Police Station
3. Deputy Commissioner of Police
Zone IX, Bandra West
4. Mumbai Municipal Corporation
5. Jaleel Ahmed Jamil Ahmed Khan
6. Taufiq Khan
7. Bilalahmed Jamil Ahmed Khan

....Respondents

Mr. Ashok Kumar Mishra advocate for the petitioner

Mrs. P. P. Shinde APP for the State

Ms. Madhuri More for respondent no. 4-BMC

Mr. Mangesh Kadam, Oshiwara Police Station, Mumbai. 1

**CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.**

DATE : 18th JULY 2023.

P.C. :

1. By this petition, the petitioner seeks a direction to the respondents to submit a report in respect of the death of three

workers, i.e. late Kismat Shakoor Ali, late Jitendra Rudan Harijan and late Teji Murari Bhargav, who died when an illegal chimney, having height of 30 feet, collapsed on 22nd July 2017, at Aqsa Bakery.

2. According to the learned counsel for the petitioner, the chimney was illegal and that on its collapse, three workers died, however, despite the same, no action was taken against the respondents. Admittedly, the petitioner is not a legal heir of any of the deceased, but, is the cousin of respondent nos. 5, 6 and 7, with whom he appears to have some dispute.

3. Learned APP has submitted a report of the Senior Police Inspector, attached to Oshiwara Police Station, Mumbai, dated 17th July 2023. The said report is taken on record. From a perusal of the said report, it appears that the police, during the course of their inquiry, have recorded statements of several persons, including that of the legal heirs of the deceased. It is stated that none of the witnesses have expressed any suspicion nor made any complaints/allegations against the respondents nos. 5 to 7. It is stated that after conducting

an inquiry into the case, they have closed the case and have filed an ADR summary report in the Court of competent jurisdiction and that the said report has also been accepted by the concerned Court.

4. In view of the aforesaid, nothing survives for further consideration in the petition.

5. Petition stands disposed of.

GAURI GODSE, J.

REVATI MOHITE DERE, J.