

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

WRIT PETITION NO. 1688 OF 2023

Jagannath Prasad Rajaram Shoke ... Petitioner
Versus
Governor/LT Governor Union Territories
and Ors. ...Respondents

***WITH
INTERIM APPLICATION NO. 2577 OF 2023
IN
WRIT PETITION NO. 1688 OF 2023***

Jagannath Prasad Rajaram Shoke ... Applicant
Versus
Governor/LT Governor Union Territories
and Ors. ...Respondents

***WITH
INTERIM APPLICATION NO. 4026 OF 2023
IN
WRIT PETITION NO. 1688 OF 2023***

Jagannath Prasad Rajaram Shoke ... Applicant
Versus
Governor/LT Governor Union Territories
and Ors. ...Respondents

Mr. Jagannath Prasad Rajaram Shoke, the Petitioner-in-Person is present.

Mr. H. S. Venegavkar, P.P. a/w Ms P. P. Shinde, A.P.P. for the Respondent- State

Ms Mamta Singh a/w Ms Neha Patil for Respondent No. 15.

Mr. J. P. Yagnik, for Respondent Nos. 3 and 4.

***CORAM : REVATI MOHITE DERE &
MANJUSHA DESHPANDE, JJ.***

DATE : 3rd JANUARY 2024

P.C. :

1. Heard the petitioner who appears in-person and Mr. Venegavkar, learned Public Prosecutor for the State of Maharashtra.

2. By this petition, the petitioner seeks the following reliefs:

(a) The Hon'ble High Court kindly provide protection to petitioners by way of restrain the State Govt. police of Maharashtra & railway authorities under mandate special provisions of section 15A (8) (c) of POA Act in the interest of justice please.

(b) The Hon'ble High Court kindly issue the writ to Central Govt. and State Govt. of Maharashtra for making full and complete payments of reliefs and relief amounts, compensations as well as travelling allowances, daily allowances, maintenance expenses

and transporting facilities to petitioners being victim in pending atrocities cases admissible under provisions of POA Act 2015 and POA Rules 2016 in present matter, in the interest of justice please.

(c) The Hon'ble High Court kindly issue the writ to Secretary/Chairman/CEO of Indian Railway to release all pending dues & retirement benefits including regular pension, privilege retirement passes with all consequential benefits along with compound interest, compensations as mentioned in present Cri. W. P. & submitted vide representation dated 22.12.2018 and submitted time to time, mentioned in present Cri. W.P. in the interest of justice please.

(d) Pending this Cri.W.P. and till final decision in present Cri.W.P., direct the Hon'ble Governor State Govt. of Maharashtra & Central Govt. of India as well as to Chairman/Secretary/CEO/Rail Minister release the 25% and 50% reliefs amounts & T.A., D.A. and daily expenses including other kinds of reliefs with restoration of rights of victim- petitioners admissible under POA Act & POA Rules at the stage of FIR and charge sheet and during period of investigation and trial of pending atrocity cases

mentioned in present Cri.W.P. & representations submitted to all concerned including Governor State Govt. of Maharashtra and pending dues amounts & all pensionary / retirement benefits to petitioners mentioned in this Cri.W.P. and representations submitted time to time as mentioned in this Cri.W.P., in the interest of justice please.

(e) The prayer clause (d) kindly be granted ex-parte, since admissible under mandate provisions of POA Act, POA Rules and railway service rules, in the interest of justice please.

(f) The Hon'ble High Court kindly issue writ to Judicial Officers/ Special Judges of Special Court, District & Session Court, District Akola, Nashik and Thane / Kalyan and State Govt. of Maharashtra for disposing pending atrocity cases, with pending applications within prescribed time limit / period mentioned under mandate provisions of Section 14 and 15A (8) (c) of POA Amendment Act 2015 with strict implementation of mandate provisions of POA Act and PCR Act, in the interest of justice please.

(g) Any other & further order as this Hon'ble High Court may deem fit, proper & necessary in favour of

the petitioners in the facts & circumstances of the case may also be passed for complete justice please.

3. Since the petition was vague and since some of the reliefs cannot be granted in this petition, we asked the petitioner whether he would want an Advocate from the Legal Services Authority to espouse his cause. However, the petitioner continued to make submissions. We heard the petitioner for almost more than 20 minutes. The reliefs as sought for cannot be granted in this petition. It is open for the petitioner to approach the concerned authorities and seek the reliefs as sought for in the petition.

4. We make it clear that we have not adjudicated on any of the reliefs sought for in this petition, and as such all contentions of all the parties are kept open. Accordingly the writ petition stands dismissed.

5. In view of dismissal of the writ petition, the interim applications do not survive and same are also disposed of.

MANJUSHA DESHPANDE, J.

REVATI MOHITE DERE, J.