

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

CRIMINAL WRIT PETITION (STAMP) NO. 5775 OF 2024

Dipak Atmaram Shirodkar ... Petitioner

Versus

The State of Maharashtra & Ors. ... Respondents

N.r.bubna for the Petitioner

Addl. P.P for the Respondent No.1-State

for the Respondent No. 2

**CORAM : REVATI MOHITE DERE &
DR. NEELA GOKHALE, JJ.
WEDNESDAY, 12th FEBRUARY 2025**

P.C :

1 Heard learned counsel for the parties.

2 By this petition, the petitioner seeks a direction to the CBI/EOW/ACB and/or some other appropriate expert investigating agency to thoroughly investigate the petitioner's complaints which are annexed at Exhibits `A' and `C' to the petition.

3 Perused the the petition. At Exhibit `A', page 11, is a Google Earth Map annexed by the petitioner and a complaint made to the Chief Minister dated 18<sup>th</sup> November 2024 at page 14. Exhibit `C' is a complaint made to the Chief Secretary of Maharashtra State, Mantralaya, dated 21st November 2018. No complaint has been made to the concerned police station seeking registration of an FIR on the basis of the petitioner's complaint. Even today, learned counsel for the petitioner has not been able to point out any complaint made to the Police Station, seeking registration of any FIR.

4 Infact, in para 14 of the affidavit-in-reply filed by Vijay Jagannath Gosavi, Assistant Conservator of Forest (Afforestation), Sangli, he has stated as under:

“14. I say that I deny the contents of Para 11. The Petitioner is an Indian Citizen. He is a retired forest officer. He could have set the criminal law in motion by lodging report with the concerned Police Station, as according to him, the offences alleged to have been committed are cognizable. He did not exhaust that efficacious remedy.”

5 Considering that the petitioner has not availed of the remedy before filing the aforesaid petition, we are not inclined to entertain this petition. The petition is accordingly dismissed and as such, disposed of.

6 We make it clear that it is open for the petitioner to pursue appropriate legal remedies before the appropriate authority, as permissible in law. Furthermore, we make it clear that the petition is dismissed solely on the ground of non-availing the alternate remedy and not on its merits.

DR. NEELA GOKHALE, J.

REVATI MOHITE DERE, J.