

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 290 OF 2024

Ayman Mehmood Shaikh ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

Mr. Akshay Bhalerao for the Petitioner.

Mr. Joel Carlos a/w Mr. P.P.Chavhan i/b Ms. Komal Punjabi for the
Respondent Nos.2 and 3-BMC.

CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.
DATE : 30th SEPTEMBER, 2025

P.C. :

1. On 23rd September, 2025, the following order was passed :

“Learned Counsel appearing for the respondent – MCGM seeks time to take instructions as to whether the corporation can treat the aforesaid petition as a complaint to the Municipal Commissioner and whether an inquiry can be conducted on the basis of the said complaint.
2. *At his request, stand over to 30th September, 2025. To be placed on the Supplementary Board.”*

2. Today, Mr. Carlos, learned Counsel appearing for the respondent Nos.2 and 3-BMC states that pursuant to the order dated 23rd September, 2025, the Municipal Commissioner, Mumbai has appointed one Chief Engineer, Vigilance, to inquire and investigate into the petitioner's complaint and submit a report to him. The allegations in the complaint pertain to a work code AE-93 executed in 2018-19. Considering the apprehension of the petitioner, we deem it appropriate to appoint the Joint Municipal Commissioner, Vigilance, alongwith the Chief Engineer, Vigilance, to jointly conduct an investigation/inquiry into the complaint made by the petitioner.

3. Since cognizance of the petitioner's complaint has been taken at the highest level i.e. by the Municipal Commissioner and the aforesaid persons are appointed to investigate and inquire into work code AE-93 and report to the Municipal Commissioner for further actions/steps, nothing survives for further consideration in the petition. The said inquiry report to be submitted to the Municipal Commissioner, Mumbai, expeditiously and in any event within three

months from the date of receipt of this order.

4. We make it clear that we have not gone into the merits of the petitioner's complaint and as such, keep all contentions of all parties, on merits open.

5. Petition stands disposed of accordingly.

6. Stand over to 12th January, 2026, under the caption 'for recording compliance'.

7. All concerned to act on the authenticated copy of this order.

SANDESH D. PATIL, J.

REVATI MOHITE DERE, J.