

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

CR. WRIT PETITION NO. 3398 OF 2025

Kanchan Mitra

....Petitioner

Versus

Insurance Regulatory and Development Authority & Ors. ...Respondent

Adv. Sejal Patel i/b. Adv. Yash Vyas for the Petitioner

Mr. Mayur Shetty a/w. Mr. Rushil Mathur, Mr. Sandeep Rebari i/b. Kochhar
& Co. for the Respondent Nos. 2 and 3

Ms Komal B. Shah i/b. Mr Srinivas Bhavé for Respondent No. 1

Ms Rutuja Amberkar, APP for the Respondent-State.

**CORAM : RAVINDRA V. GHUGE &
M. M. SATHAYE, JJ.**

DATE : 1st JULY 2025

P.C.:-

1. This is a classic case of a misuse of the process of law.
2. We have considered the submissions of the learned Advocate for the Petitioner in the presence of the Petitioner in the Court hall. The Petitioner claims to be a Senior Vice President, Human Resources, who was employed with Respondent No. 3, from 07/03/2015 till 26/02/2019.

The first contention of the Petitioner is that Respondent No. 3 has indulged in bribery and Respondent Nos. 2 and 3 have bribed sub-brokers in order to secure business. The sub-brokers who allegedly have

been paid bribe by Respondent Nos. 2 and 3, are not arrayed as Respondents. Their names are also not mentioned in the pleadings in the memo of the Petition.

The second allegation of the Petitioner is that Respondent No. 3 has indulged in misappropriation. Respondent No. 3 is a private limited company. How much is the amount of misappropriation, is not known to the Petitioner. No name of the persons are mentioned and if it be so, the said person who has allegedly indulged in the misappropriation, is also not arrayed as a Respondent.

When called upon to state as to how much is the amount of bribery, the Petitioner has no knowledge.

When called upon to state as to how much is the amount of misappropriation, the Petitioner states that he has no knowledge.

3. The pleadings in the Petition memo are as vague as they could be, besides the Petitioner making reckless allegations without substantiation. He desires that this Court should issue a Writ and direct investigation into his baseless and wild allegations.

4. The learned Advocate representing Respondent Nos. 2 and 3,

points out that the Petitioner has already filed a PIL(L)/35412/2024. We called upon the learned Advocate to state as to what the PIL is about. After consulting the Petitioner present in the Court hall, she submits that it is on the same grounds and for the same reasons that the present Petition has been filed.

5. The learned Advocate representing Respondent Nos. 2 and 3, points out that the same Petitioner had preferred WP (L) no.18251/2021. The co-ordinate Bench of this Court dismissed the Petition as withdrawn vide order dated 21/03/2023. The Petitioner states that it was withdrawn since it had pleadings in relation to the employer-employee dispute between the parties.

6. The Petitioner filed one more Writ Petition No. 2675 of 2025. The said Petition was also disposed off as withdrawn vide order dated 10/06/2025, with liberty to prosecute the PIL, which is pending.

7. Since the Petitioner has stated before the Court that this Petition is filed for the same cause for which the PIL is filed, it is apparent that the WP/2675/2025 was disposed off as withdrawn for the purpose of prosecuting the PIL. Yet this Petition has been filed against the same parties and on the same grounds.

8. The learned Advocate for Respondent Nos. 2 and 3, has tendered a copy of the said WP/2675/2025. We find that the Respondent Nos. 1 to 3 are identical, the allegations of bribery, misappropriation, non-disclosure, manipulation of insurer's placement, frauds etc., are also alleged in the said Petition. We find that grounds are practically identical and in some paragraphs, number and sequence of the paragraphs are changed to make it appear as a different Petition.

9. In the backdrop of the dismissal of the WP/2675/2025, it is an attempt on the part of the Petitioner in misusing the process of law by filing this second Petition, which has identical pleadings as the earlier Writ Petition and admittedly in the same cause for which the PIL has been filed.

10. This Petition is, therefore, liable to be dismissed by imposing costs of Rs.5,00,000/- on the Petitioner for having wasted almost 45 minutes of the Court and for having attempted to play a fraud by filing a second Petition in the backdrop of the earlier Petition having been disposed of as withdrawn, just 20 days, on 10/06/2025.

11. At this juncture, the learned Advocate for the Petitioner prays for leniency and requests that the costs amount be reduced on the ground that he has already retired as a Senior Vice President, HR and head of the

department.

Hence, with a hope that the Petitioner would learn a lesson and would refrain from indulging in chance litigation and filing such cases, we are reducing the costs amount to Rs. Fifty Thousand only (Rs.50,000/-).

This Writ Petition is dismissed with the above costs.

12. The costs amount shall be deposited in this Court within 30 days from today, failing which, we direct the Collector, Mumbai to recover the said amount from the Petitioner as arrears of land revenue and deposit the same in this Court.

13. Copy of this order be placed before the learned Bench dealing with the PIL(L) no. 35412/2024.

(M. M. SATHAYE, J.)

(RAVINDRA V. GHUGE, J.)