

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

CRIMINAL WRIT PETITION NO.4333 OF 2025

SATISH
RAMCHANDRA
SANGAR

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SATISH RAMCHANDRA
SANGAR

Date: 2025.08.16
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Prabhakar Madhav Pathak	}	
Age : 74 Years, Occupation : Retired,	}	
Residing of 8, Amruta Heights,	}	
Near City Care Hospital, Nashik-Pune Road,	}	
Dwarka, Nashik – 422011.	}	...Petitioner

Versus

- | | | | |
|----|--|---|-----------------------|
| 1. | The Nashik District Legal Aid Services | } | |
| | Committee , Nashik, Through its Chairman, | } | |
| | and The Principal District and Sessions Judge, | } | |
| | Nashik. | } | |
| 2. | The Secretary – The Nashik District Legal | } | |
| | Aid Services Committee, Nashik. | } | |
| 3. | The State of Maharashtra , | } | |
| | Through its Government Pleader, | } | |
| | High Court, Bombay. | } | ...Respondents |

Mr.Sujeet Bugade:-	Advocate for Petitioner.
Mr.N.B.Patil:-	APP for Respondents-State.

CORAM : S. M. MODAK, J.

DATE : 12th AUGUST 2025

P.C. :-

1. Heard learned Advocate for the Petitioner. After hearing the matter in morning session, I had made it clear that I am not inclined to

give directions to the learned Principal District and Sessions Judge – Nashik. The matter was kept back to take instructions. In the afternoon session, the learned Advocate for the Petitioner submitted that the Petitioner is a resident of Nashik and he could not contact him. In fact, in the morning session, the learned Advocate was assisted by one person and he is son of the Petitioner as submitted.

2. There is a settlement arrived at in the Lok-Adalat on 30th April 2023. A Compromise Deed was executed and **the suit bearing No. Special Civil Suit No.202 of 2023 was disposed of.** This was a suit for Specific Performance filed by one Vishal Yashwant Warule. There are two Defendants. The said two Defendants are nothing but the two out of three vendors from whom the present Petitioner along with one Abhijeet Pathak have purchased certain land. **The submission is while settling the dispute, the parties to that suit have not informed to the Court the real facts, the fact relating to execution of the sale-deed dated 4th March 2022 as referred above.** The submission is the parties and more specifically the Defendants therein ought to have informed to the trial Court that they have sold the concerned land to the Petitioner and Abhijeet Pathak. **That is why the contention is fraud is played on the Court.**

3. One minor issue is also raised about not signing the order of issuance of summons. On this background, the Petitioner has filed an Application to the Chairman of the District Legal Services Authority – Nashik vide the complaint dated 29th January 2024 and 29th August 2024. This complaint is registered as Misc.Civil Application No.34 of 2024. (wrongly typed as 2023 in the prayer clause).

4. The present Petition is for issuing directions to the Respondent No.1 – Chairman of District Legal Services Authority – Nashik to decide that Application expeditiously. The reliance is placed on the observations of *State of Punjab V/s. Jasbir Singh*¹. It is in respect of an inquiry to be conducted as per the provisions of Sections 340, 195 of the Code of Criminal Procedure, 1973 (“Cr.P.C.”). He also placed reliance on the judgment given by the Hon’ble Supreme Court on a reference i.e. the *State of Punjab V/s. Jasbir Singh*². The submission is there is no need to hear a person against whom there is an allegation.

5. After hearing the learned Advocate for the Petitioner, I do not find that direction to expedite the hearing is justified. Because the complaint is made on 29th January 2024 and 29th August 2024 and just one and half years is about to expire. A direction to expedite the

1 (2020) 12 Supreme Court Cases 96

2 Criminal Appeal No.335 of 2020 : 15th September 2022 : Supreme Court of India

hearing can be given only when this Court finds that the proceedings are not disposed of in a normal period. A direction to expedite can be given when this Court finds that either of the parties is delaying the hearing of the proceeding without any justifiable reason. Because it is an essence of the law that any proceedings needs to be disposed of as early as possible. So I am not inclined to allow the Petition. It is for the Petitioner to pursue his remedy before the Chairman of District Legal Services Authority – Nashik.

6. It is true when said grievance is made by way of filing an Application, there are certain limits in conducting an inquiry. The sum and substance of the submission is fraud is played by the parties to the suit while getting an order from the Lok-Adalat. Let the Chairman – District Legal Services Authority – Nashik to ascertain whether the remedies are available for agitating that grievance by taking recourse to appropriate proceedings.

7. With these observations, the Petition stands disposed of.

[S. M. MODAK, J.]