



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 1354 OF 2025

Mukund Janrao Deshmukh -Vs- Chief Secretary of Home and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.A.S.Thotange (through V.C.) a/w Mr. P.R.Jalit, counsel for the petitioner.
Mr.I.J.Damle, AGP for respondent State.

**CORAM: NITIN W. SAMBRE AND
MRS.VRUSHALI V. JOSHI, JJ.**

DATE : 17th MARCH, 2025.

1. Heard.
2. The petitioner has come out with following prayers:-

(II) "Direct the (Respondent No.1) to immediately implement the recommendations of the Maharashtra State Human Rights Commission dated 17/02/2014, including the interest at the rate of 12% per annum on the compensation of Rs.10,000/- to each of the Petitioners till realisation of the full amount.

(III) Award additional compensation to the Petitioners for the hardship inconvenience, and violation of their fundamental rights caused by the Respondents' failure to implement the Commission's order".

3. Pursuant to the complaint preferred by the petitioner before the Maharashtra State Human Rights Commission, Mumbai, an order was passed on 17/02/2014, whereby the following directions were issued.

(a) The State shall bring awareness and educate the police personnel as to the strict procedure to be followed when they received complaint i.e. first registering a case and investigate the same if found to be a penal offence and if found there is possibility of prosecution after investigation, since non recording of complaint submitted to a police amount to violation of human rights i.e. the basic access to the criminal justice system.

(b) Since in the present case as the commission finds the inaction on the part of the police not registering a case against the police officials about which some of the complainants intended to lodge criminal case and thus they have been shut out Hon'ble Justice System, I direct payment of a compensation of Rs.10,000/- each to the complainants by the State, compliance of which shall be reported in four weeks from the date of receipt of this order”.

4. The recommendations of the Human Rights Commission were subject to the implementation by the State Government, provided the State Government accepts the said recommendations. It appears that, vide impugned order, the State Government has rejected the recommendations of the Human Rights Commissions vide order dated 01/02/2016.

5. The petitioner has questioned the same on the ground that an unrealistic approach has been taken by the State Government in rejecting the recommendations of Human Right Commission.

6. When confronted as regards the delay caused in preferring the present petition, the learned counsel appearing for the petitioner would urge that the petitioners representations were pending before the authority.

7. Just because the petitioners representations were pending, that by itself will not bring the claim of the petitioner within limitation as the petitioner ought to have questioned the impugned order dated 01/02/2016 within reasonable period i.e. within three years from the date of receipt of the same.

8. The petitioner has approached this Court after a lapse of nine years from the date of the order impugned.

9. That being so, the petition is hopelessly time barred for which there is no convincing explanation. Thus, the petition fails and the same stands dismissed.

(MRS. VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)