



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO.1032/2024

(Hazrat Jaman Jatti Shah (Jamanshah) Dargah Committee and another Vs. State of Maharashtra and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.V. Bhutada, Advocate with Mr. Yash Maheshwari, Advocate for the petitioners.

Mr. A.J. Gohokar, A.P.P for respondent Nos.1 to 4.

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

DATED: 3.1.2025.

Heard.

2. The learned A.P.P. has resisted the claim based on the oral instructions received from the office of Superintendent of Police, Chandrapur. According to him, the petitioners must abide by the instructions issued by the Administration in terms of the Maharashtra Police Act.

3. So as to substantiate his claim, he has invited our attention to the observations made by this Court in Criminal Writ Petition No.43/2024 [Hazrat Jaman Jatti Shah (Jamanshah) Dargah Committee and another V/s. State of Maharashtra and others] decided on 15.1.2024 which was preferred by the very same petitioners for the same cause.

4. Para 4 of the said order is worth referring to, the same is reproduced below:-

“(4) Respondents have filed reply stating that since last few years there is a dispute among the members of the Executive Committee and there are two fractions. The dispute is pending before the Charity Commissioner. Since the year 2017, elections are not held. It is expressed that if petitioners are allowed to conduct the programme then

it may raise unrest. Since, despite disputes, each year permission was granted, there is no special reason mentioned for denial. Certainly, petitioners have to abide by the orders passed by Administration in terms of the Maharashtra Police Act. In view of that, the petition is partly allowed. The respondent shall grant permission by imposing all suitable conditions which they deem fit.”

5. In this background, we are of the view that it is obligatory for the petitioners to abide all the lawful orders and instructions issued by the respondent - Police Administration in terms of the Maharashtra Police Act or any other law dealing with such issues which are sought to be addressed.

6. The learned Advocate for the petitioners assures that the petitioners shall abide all the terms and conditions and the orders passed by the respondent Administration in terms of the Maharashtra Police Act and other allied laws.

7. In this background, we direct the respondents to deal with the request of the petitioners for grant of permission by imposing suitable restrictions/conditions which they deem fit and appropriate. Petition is accordingly disposed of.

8. Steno copy granted.

(MRS.VRUSHALI V.JOSHI, J.)

(NITIN W. SAMBRE, J.)