

Deposition of C. W. No. 1

I state on solemn affirmation that,

My Name -: Kishor Ramayya Shetty

Age -: 59 Years,

Occ. -: Retired as Sanitary Inspector, P/South Ward, BMC, Mumbai.

R/at -: 101-A, Dahisar Shivdatta CHSL, Anand Nagar, C.S. Road-2, Dahisar (East), Mumbai .

Examination-in-Chief by Ld. A.L.O. Mr. R.W. Sonawane for the complainant :-

1. Now I am retired. Before my retirement, from the year 2022, I was working as a Sanitary Inspector in P/South Ward, BMC, Mumbai. My duty was to explore my area to find out unauthorized trades and to take necessary action such trades, to get the work done from my subordinate officers and employees, after receiving complainants from citizens regarding unauthorized trades to deal such complainants and to resolve them. In this regard, I was authorized by Deputy Municipal Commissioner, Zone-IV, of BMC. Today, I have brought the original authority order with me. The scanned copy thereof is uploaded on the e-filing portal. I am ready to produce the original before the Court for its verification and comparison with the document which is uploaded on the portal. *The Court has verified the original produced by the witness and compared it with the scanned copy of the document uploaded on the e-filing portal by verifying a Cases Information System (CIS) i.e. a online and authenticated software of the Court. The Court finds its the same as per the original. The original is also made available to the defence side and thereafter the original is returned to the witness. The contents in the document are true and correct. It bears the signature of the then Deputy Municipal Commissioner Shri. Vishvas V. Shankarwar. Since it is a public document, it is marked as **Exh.-12**.*

2. On **28/06/2025**, when I was on duty, I had been to **M/s. Shree Ashtavinayak Food Spot, Shop No.2, Jawahar Nagar Road No. 12, Goregaon (W), Mumbai** for inspection. There I saw that in that premise, a trade of sell of readymade **eatables** without license was going on. I asked the person

sitting there and doing the said trade that if he has a trade license issued by Health Officer of BMC for said trade. He could not show me the license. I asked him his name in response to which he answered that his name is **Mr. Vijay**. He was identified as relative of the owner of the said trade. Then I proceeded to ask him that who is the owner of the premise and trade. He answered that **Mrs. Laxmi Bhimsi Shah** is the owner and conductor of that premise and trade. Accordingly, I conducted an inspection of that premise and thereafter prepared an inspection report in triplicate. The original thereof handed over to the conductor of the business and I retained to carbon copies. I have uploaded a scanned copy of the said office copy of the notice on the portal on the e-filing portal. Today I have brought the original with me. *The Court compared the copy brought by the witness and a copy available on the CIS and found to be the same. The original is made available to the other side for inspection and returned back to the witness.* The contents there is are true. It bears my signature. It is marked as **Exh.13**.

3. Then, I waited for 7 days for registration certificate to be submitted by the conductor and the owner of that premise. In those 7 days nobody came to me to submit such certificate. Then I prepared an offence-sheet and sent it to the legal department for further necessary action. I have uploaded a scanned copy of the said offence sheet on the portal on the e-filing portal. Today I have brought the original with me. *The Court compared the copy brought by the witness and a copy available on the CIS and found to be the same. The original is made available to the other side for inspection and returned back to the witness. The contents there is are true. It bears my signature. It is marked as **Exh.14**.* I can identify the accused if I see him. Today the accused not present.

The Examination-in-Chief is over.

Cross examination by Ld. Advocate Mr. Sandesh More for accused :-

4. It is not true that, on the given date, time and place I did not

make any visit nor conducted any inspection. It is not true that, I am deposing false on oath. It is not true that, on the basis of false documents, I have prepared false inspection report and false offence-sheet.

Cross examination is over.

R.O.A.C

Date: 14/07/2026.

(**Amrit C. Birajdar**)
Judicial Magistrate (First Class),
39th Court, Vile Parle, Mumbai.