

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

***WRIT PETITION (STAMP) NO. 13552 OF 2024
WITH
INTERIM APPLICATION (STAMP) NO.25225 OF 2024
IN
WRIT PETITION (STAMP) NO. 13552 OF 2024***

Vaibhav Mohan Thakur and Ors. ...Petitioners/Applicants
Versus
State of Maharashtra and Ors. ...Respondents

Mr. Abhinandan Vagyani i/b Mr. Sumit A. Shinde for the
Petitioners/Applicants

Ms. M. M. Deshmukh, Additional Chief Public Prosecutor for the
Respondent-State.

Mr. P. P. Chavhan i/b Ms. Komal Punjabi for the Respondent No.25-
BMC.

Ms. Shreya Tiwari a/w Mr. Mahesh Vaswani and Mr. Dinesh Tiwari
for the Respondent Nos.26 to 28.

DCP – Raj Tilak Roshan, ACP – Rajendra Shirtode, Sr.P.I. - Atmaji
Sawant, P.I. - Tejankar Dilip, P.I. - Mangesh Desai and P.I. - Laxmikant
Salunkhe, are present.

***CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.***

DATE : 25th SEPTEMBER 2025

P.C. :

1. Heard learned counsel for the petitioners and the learned Additional Chief Public Prosecutor for the State.

2. Learned Additional Chief Public Prosecutor submits that despite the Special Investigation Team (SIT) having been constituted, no steps have been taken by the police authorities to find out whether Census Certificates have been forged or not. He further states that despite statements of some of the persons were recorded way back in April 2025 evidencing payments made to the agents, who in turn made payments to the BMC officials, no investigation has been done by the police in this regard.

3. On 6th September 2024, the following order was passed by this Court in the aforesaid petition : -

“ 1. Pursuant to our order dated 5th September 2024, the concerned Investigating Officer, P.I. Mr. Madhusudan Naik, Goregaon Police Station is present today in Court. Although, we had directed PI Mr. Sudhir Hirdekar to also remain present, learned APP states that the message was forwarded, however, PI Mr. Sudhir Hirdekar has not come.

2. *Learned APP, on instructions of PI Mr. Naik, states that in view of the allegations made by the petitioner i.e. Census Certificate for structure and Census Form were forged and fabricated, a report has been called from the Additional District Collector and the City Survey Officer, Goregaon vide letter dated 31.07.2023. She states that appropriate steps will be taken for registration of the FIR after the report is so received from the Additional District Collector and the City Survey Officer, Goregaon.*
3. *It appears that the said letter has been sent by the Goregaon Police Station on 31.07.2023 to the Additional District Collector and the City Survey Officer, Goregaon, seeking their report as to whether the Census Certificate and Census Form are forged or not.*
4. *It appears that despite one year having lapsed, the Additional District Collector and the City Survey Officer, Goregaon have not submitted their report to the concerned Police Station.*
5. *Hence, we direct the Additional District Collector and the City Survey Officer, Goregaon to submit their report /information as sought for by the Police vide their letter dated 31.07.2023 as expeditiously as possible, and in any event, within a period of 3 weeks from today.*
6. *Learned APP as well as the concerned Investigating Office to forthwith inform the Additional District Collector and the City Survey Officer, Goregaon, of the order passed today, so as to enable them to submit their report to the concerned Police Station.*
7. *Stand over to 4th October, 2024.”*

4. One year has elapsed and till date the police have not received any information from the Additional Collector (Enc/Rem), Western Suburb, Mumbai. The only information that has been received is a letter dated 16th September 2025 only recently, which does not throw light whether the Census Certificates have been forged or not.

5. Learned Additional Chief Public Prosecutor, on instructions of the officers present in Court, states that they are not receiving any co-operation either from the BMC officials or the Additional Collector.

6. In view of the aforesaid, we deem it appropriate to direct the respondent No.18 i.e. The Additional Collector (Enc/Rem), Western Suburb, Mumbai, to remain present before us tomorrow i.e. **26th September 2025 at 01:00 p.m.** A senior responsible officer of the rank of Assistant Commissioner (P/North Ward), Mumbai, to also remain present before us tomorrow i.e. **26th September 2025 at 01:00**

p.m. with instructions and papers.

7. Stand over tomorrow i.e. 26th September 2025 at 01:00
p.m.

SANDESH D. PATIL, J.

REVATI MOHITE DERE, J.