

***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

***WITH
INTERIM APPLICATION (STAMP) NO.19579 OF 2025
IN
WRIT PETITION (STAMP) NO. 13552 OF 2024***

The Assistant Commissioner ... Applicant
Versus
Vaibhav Mohan Thakur and Ors ... Respondents

Mr. Sumit A. Shinde for the Petitioners/Applicants

Ms. M. M. Deshmukh, In-charge, Chief Public Prosecutor a/w Ms. P. P. Shinde, Addl.P.P. for the Respondent-State.

Mr. Narendra Walawalkar, Senior Advocate a/w Mr. Suresh Sabrad, Ms. Madhuri More, Mr. P. P. Chavhan i/b Ms. Komal Punjabi for the Respondent No.25-BMC.

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

ACP – Kishorkumar Shinde, ACP (D-Spl.), Senior P.I. - Atmaji Sawant, Unit-VII, P.I. - Laxmikant Salunkhe, Unit – VIII, API-Prabhu, Unit – VIII, API – Sathe, Unit – VII and P.I. Tejankar, Unit II, are present.

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

DATE : 16th OCTOBER 2025

P.C. :

1. Ms. Deshmukh, In-charge, Chief Public Prosecutor has tendered an affidavit-in-reply on behalf of the respondent No.18. The same is taken on record and a copy thereof is served on the other side.

Para 14 of the said affidavit-in-reply reads thus:-

“14. *I say and submit that, approximately 23,191 Census Forms are available in the office of the Deputy Collector (Encroachment/Removal), Malad, which is different from this office but under supervision of me. This record is of Competent Authority No.5 working under S.R.A. but due to non availability of space in his office, the same was kept with the Deputy Collector (Encroachment/Removal), Malad. I say that while the other approximately 1,08,440/- Census Forms have been in jurisdiction to the six Competent Authorities functioning under the Slum Rehabilitation Authority (SRA). Accordingly, all records of this nature have been duly transferred to the concerned Competent Authorities and Deputy Collectors of the concerned area/villages. Hence, no records is with my office and as such no record is missing. I further say that the said record is approximately 49 to 50 years old and in worn out condition still the same is kept as record with the*

offices of the concerned departments. I say that the Census Forms referred to by the Petitioner are available in those offices, and we are fully prepared to make all such records available to the Police Authorities whenever required and further, if the applicant specifies any particular record or document or details of it which he alleges to be missing/fake, the same shall be verified and communicated to him accordingly by concerned office/offices”

2. From the aforesaid paragraph, it appears that no record is missing and that the authorities are ready to make available all records to the police as and when required.

3. In view of the aforesaid, the police to look into the records as may be necessary for the purpose of investigation. Needless to state that, the Collector's office to co-operate with the police, by handing over the documents/permitting inspection of the documents, as may be sought for by the police.

4. The police to look into whether the Census Form as well as Census Certificates are fabricated or not of the year 1976.

5. At this stage, learned senior counsel Mr. Walawalkar states that all the documents have been handed over to the police authorities by the respondent No.25-BMC, as assured.

6. Stand over to **28th November 2025.**

All concerned to act on the authenticated copy of this order.

SANDESH D. PATIL, J.

REVATI MOHITE DERE, J.