

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).25325/2008

(From the judgement and order dated 18/09/2008 in WP No. 439/2008 of the HIGH COURT OF BOMBAY AT AURANGABAD)

B.M. CHAVAN Petitioner(s)

VERSUS

KAKASAHEB & ORS. Respondent(s)

(With appln(s) for exemption from filing O.T., exemption from filing c/c of the impugned judgment and with prayer for interim relief)

Date: 24/10/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s) Mr. Dilip Annasaheb Taur,Adv.
Mr. Amil Viswasrao Deshmukh,Adv.
Mr. Ranjith K.C.,Adv.

For Respondent(s) Dr. R.R. Deshpande,Adv.
Mrs. Ujwala R. Deshpande,Adv.
Mr. Anjani Kumar Jha,Adv.

UPON hearing counsel the Court made the following
ORDER

Keeping in view the fact that the High Court has merely directed that a first information report be lodged, evidently having been found a prima facie case against the petitioner, the same, in our opinion, shall not stand in the way of the petitioner to produce all necessary documents as also the Scheme before the Investigating Officer to show that he is not involved in the matter.

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There cannot be any doubt, whatsoever, that the Investigating Officer being a statutory authority, shall consider all the materials independent of any observation made by the High Court.

With the aforementioned observation, the special leave petition is dismissed.

(A.S. BISHT)
MASTER

COURT MASTER

(PUSHAP LATA BHARDWAJ) COURT