

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).8573/2006

[From the judgement and order dated 17/03/2006 in PIL(L) No.933/2005  
of The HIGH COURT OF BOMBAY]

BOSS SCHOOL OF MUSIC & ORS.

Petitioner(s)

VERSUS

MARY PRABHAKAR & ORS.

Respondent(s)

[With appln(s) for immediate directions, deletion of the name of  
respondent, directions and office report]

WITH SLP(C) NO.9434 of 2006

[With prayer for interim relief and office report]

SLP(Crl) NO.2446 of 2006

[With appln. for stay, vacating stay, intervention, permission to file  
additional documents and office report]; and

SLP(Crl.)No...../2007 [Crl.MP NO.553 of 2007]

[With appln. for permission to file SLP and office report].

Date: 04/11/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT

HON'BLE DR. JUSTICE MUKUNDAKAM SHARMA

For Petitioner(s) Petitioners-In-Person.

For Respondent(s)

Ms. Manjula Gupta, Adv.

Mr. M.D. Pandeya, Adv.

Mr. Arun Pednekar, Adv.

Mr. Sanjay V. Kharde, Adv. for

Ms. Asha Gopalan Nair, Adv./

Mr. Ravindra Keshavrao Adsure, Adv.

Mr. Bharat Sangal, Adv.

Mr. Shyam Dewan, Sr. Adv.

Mr. S.K. Srivastav, Adv.

Mr. Shekhar Gupta, Adv.

Mr. Balraj Dewan, Adv.

Mr. E.C. Agrawala, Adv.

Intervenor-in-person.

SLP(C)No.8573/06 etc. .... (contd.)

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UPON hearing counsel the Court made the following

ORDER

In these cases, challenge essentially is to the orders passed by a Division Bench of the Bombay High Court directing certain enquiries to be conducted as regards the functioning of the Boss School of Music. The proceedings before the High Court appear to have been initiated on the basis of a writ petition filed by, according to the petitioners, a parent of member of the school. The High Court appears to have based its order on a report given by Dr. Sanjay Aparanti, Dy. Commissioner of Police (Enforcement), Crime Branch, CID Mumbai. There are certain allegations made by the petitioners against this officer about which it is unnecessary to express any opinion. However, considering the peculiar factual scenario, as highlighted by the parties, it would be appropriate if an officer of the Maharashtra Police, not below the rank of D.I.G. of any of the ranges,

makes an enquiry into the affairs of the school and submits a report before this Court in a sealed cover within a period of 10 weeks from today. The matter shall be listed after three months.

If any person, be it a parent or a member of the school, wants to make any statement, let him or her do so by filing an affidavit. If the affidavit is filed, there shall not be any necessity for examining the person concerned, unless the officer concerned feels that any clarification is needed with reference to any statement made in the affidavit.

After the State Government notifies the officer, the authorities of the school shall be intimated and 10 days' time shall be granted to the persons who intend to file affidavit(s).

It is made clear that if the officer conducting the enquiry wants production of any document(s), an intimation shall be given to the Principal of the school for the purpose.

(Subhash Chander)      (Shashi Bala Vij)  
Court Master              Court Master