

MHCC020077642025



IN THE COURT OF SPECIAL JUDGE, ACB COURT R. NO. 45
CITY CIVIL AND SESSIONS COURT FORT, GR. BOMBAY
ORDER BELOW EXHIBIT NO.1
IN
ACB MISC APPLICATION NO. 687 OF 2025

Mr. Sapan Shrivastava]
Male, Age 48, Occ : Media Reporter (Legal)]
D 102, Natraj Darshan, Ganesh Nagar Chowk,]
Dombivali West, Thane – 421 202.]....**Complainant**

V/s.

- 1. Tuhin Kanta Pandey**]
Age : 58 Approx, male, Occ : Public Servant,]
Chairperson, SEBI, BKC, Bandra, Mumbai - 51]
- 2. Madhabi Puri Buch**]
Age 55 Approx, Female, Occ : Public Servant,]
Ex Chairperson, SEBI, BKC, Bandra, Mumbai – 51]
- 3. Ashwani Bhatia**]
Age 55 Approx, Female, Occ : Public Servant,]
Whole Time Member SEBI, BKC, Bandra,]
Mumbai-51.]
- 4. Ananth Narayan G.**]
Age 55 Approx, Male, Occ : Public Servant]
Whole Time Member SEBI, BKC, Bandra,]
Mumbai-51.]
- 5. Kamlesh Chandra Varshney**]
Age 55 Approx, Male, Occ : Public Servant,]
Whole Time Member SEBI, BKC, Bandra,]
Mumbai-51.]
- 6. Amarjeet Singh**]
Age 55 Approx, Male, Occ : Public Servant]
Whole Time Member SEBI, BKC, Bandra,]
Mumbai-51.]

- 7. Sanjay Sood**]
 Age 55 Approx, Male, Occ : Public Servant]
 Registrar of Companies (ROC)]
 E Wing, 2nd Floor, Kendriya Sadan, Santhosapuram]]
 Kudremukh Colony, Koramangala,]
 Bengaluru – 560034.]
- 8. Subhasis Chaudhari**]
 Age 62 Approx, Male, Occ : Chairman and]
 Public Interest Directors (BSE India)]
 Floor 25, PJ Towers, Dalal Street,]
 Mumbai – 400 001.]
- 9. Sundararaman Ramamurthy**]
 Age 60 Approx, Male, Occ : MD and CEO]
 BSE India, Floor 25, PJ Towers, Dalal Street,]
 Mumbai.]
- 10. Ashish Kumar Chauhan**]
 Age 60 Approx, Male, Occ : MD And CEO]
 National Stock Exchange of India Ltd]
 NSE Exchange plaza, Plot No.C/1, G Block,]
 Bandra – Kurla Complex, Bandra (E),]
 Mumbai-400051.]
- 11. State of Maharashtra**]
 (Through Addl CP, ACB),]
 Anti Corruption Bureau, Maharashtra, 6th Floor,]
 Sir Pochkhanwala Road Worl Police Camp,]
 Worli, Mumbai- 400 030.]
- 12. Union of India**]
 (Through Joint Director, CBI)]
 C-35A, 'G' Block, Bandra Kurla Complex (BKC),]
 Near MTNL Exchange, Bandra (East),]
 Mumbai - 400 098.]...**Accused**

Appearance :-

Complainant/Mr. Sapan Shrivastava, Party in Person.
 Ld. Adv. Mr. Aditya Mehta a/w Adv. Mr. Rishab Botadra for the BSE Ltd.
 Ld. Adv. Mr. Prasanna Bhangale a/w Ld. Adv. Mr. Niranjana Pachupate
 and Ld. Adv. Ms. Samruddhi Bendbhar i/b Parinam Law Associates for
 the applicant/Intervenor NSE India/respondent No.10.

CORAM : HHJ. ABHIJEET A. NANDGAONKAR
EXCLUSIVE SPECIAL COURT,
MPSC Scam) ACB (C.R. No. 45)
AND ADDITIONAL SESSIONS JUDGE,
CITY CIVIL AND SESSIONS COURT,
FORT, GR. BOMBAY

DATED : 3rd FEBRUARY, 2026

ORDER

01. This is a classic example, to demonstrate the idiomatic expression from the fable that, “*Who will bell CAT?*” needs to used in this miscellaneous application.

02. By way of this miscellaneous application e-filed on 02.05.2025, the complainant/applicant Mr. Sapan Shrivastava is praying for conducting preliminary inquiry against the respondents No.1 to 7 and directing police station to register First Information under section 175(3) of BNS for under Section 198(public servants who knowingly disobey legal instruction) of Indian Penal Code (IPC) and Section 61(2) of Bharatiya Nyaya Sanhita (BNS), with 318(Cheating), 316 (Brech of Trust), 3(5)(Common Intention) with section 7 and 13 of Prevention of Corruption Act 1988 (PC. Act 1988) and others against Accused No. 1-8 to conduct investigation in cognizable offence with section 7 and 13 of P C Act 1988 against Accused No. 9-10 and in prayer clause 13(c) any other orders Court may deem fit and proper and in prayer clause 13(d) cost of the present petition be also allowed in favor of the complainant.

03. It is alleged that, the respondent no. 1 to 10 are public servants and authority and power holder in their respective offices. Respondent No. 11 is State of Maharashtra through Addl. C. P. ACB and Respondent No. 12 is Union of India though Joint Director CBI.

04. The complainant/applicant, also prayed for initiating CBI inquiry against the respondents in his prayer clause(13(a)). However during the final hearing of the matter, the complainant/applicant admitted that, in view of the settled position of law by the Hon'ble Apex Court pointed out by Ld. Adv. Ld. Adv. Aditya Mehta a/w Adv. Rishab Botadra and Ld. Adv. Mr. Prasanna Bhangale in the case of ***Sakiri Vasu V/s. State of Uttar Pradesh Others (2008) 2 SCC 409 = AIR 2008 SC 907 = (2008)1SCC (Cri) 440= 2007 SCC OnLine SC 1488 decided on December 7, 2007***, by Lordships Justice Shri. A K Mathur and Justice Shri. Markandey Katju JJ in para no. 31 has observed that,

“ No doubt the Magistrate cannot order investigation by CBI vide CBI—vr—State of Rajasthan (2001(3)SCC 333), but this Court or the High Court has power under Article 136 or Article 226 to order investigation by CBI. That, however, should be done only in some rare and exceptional case, otherwise CBI would be flooded with a Large number of cases and would find it impossible to properly investigate all of them.”

The complainant/applicant, submitted that in view above settled legal position by Hon'ble Apex Court, he is not pressing the prayer to that effect in the complaint.

05. This miscellaneous application has been moved with a allegations that they have been involved in corrupt and un- fairful manner in their work culture by allowing the companies to registered themselves as shareholders company or applying for IPO's to collect the money from a general public without getting sanction from the Constitutional Authorities such as SEBI, BSE and NSE. In the entire complaint, neither SEBI nor BSE nor NSE is made party as a respondents. The State of Maharashtra and Union of India are made

parties, but the complainant/applicant, submitted that, they are formal parties in view of the directions being sought to allow his prayer to direct the ACB/Police authorities to register the FIR under relevant sections in view of his allegation levelled by him.

06. Respondent No.1 to 10 are made party in person in which the respondents are holding the following post such as -

Sr. No.	Party Name	Name	Post
1.	Respondent No.1	Tuhin Kanta Pandey	Chairperson SEBI
2	Respondent No.2	Madhabi Puri Buch	Ex. Chairperson SEBI
3	Respondent No.3	Ashwini Bhatia	Whole Time Member SEBI
4	Respondent No.4	Ananth Narayan G.	Whole Time Member SEBI
5	Respondent No.5	Kamlesh Chandra Varshney	Whole Time Member SEBI
6	Respondent No.6	Amarjeet Singh	Whole Time Member SEBI
7	Respondent No.7	Sanjay Sood	Registrar of Companies
8	Respondent No.8	Subhasis Chaudhari	Chairman and Public Interest Directors (BSE India)
9	Respondent No.9	Sundararaman Ramamurthy	MD and CEO (BSE India)
10	Respondent No.10	Ashish Kumar Chauhan	MD and CEO NSE of India Ltd.

07. Initially the complainant already tried by approaching the Hon'ble Principal Judge, City Civil and Sessions Court, Fort, Gr. Bombay to transfer miscellaneous application from this Court to the Court CBI. But Hon'ble Principal Judge by order dated 01.12.2025 in Misc.

Application No.1109/2025 pleaded to direct this Court to proceed with the matter, by disallowing the prayer of the complaint/applicant for transferring the matter to CBI Court.

08. The complainant had filed same application in this Court Room No.46 vide under Section 156 (3) of Cr.PC and the said application was allowed by then presiding officer HHJ Shri. S. E. Bangar in ACB MA No.603/2024 dated 01.03.2025. Said order was challenged by the respondent Mr. Aswani Bhatia and others before the Hon'ble Bombay High Court in Criminal Revision Application No. 76 of 2025 and by order dated 04-03-2025 Justice My Lord Shri. Shivkumar Dighe pleased to pass the stay order by observing that, “ 1. Heard learned Solicitor General for the applicants, learned APP for State and respondent No.1 Party in person. 2. The respondent No.1 seeks time to file reply. 3. After hearing learned Solicitor General, learned APP and the respondent No.1 and after going through the impugned order passed by learned Special Court, it prima facie appears that learned Judge has passed the order mechanically, without going into details and without attributing any specific role to the applicants hence, impugned order is stayed till the further orders. 4. Stand over to 1st April, 2025 for filing reply”.

09. The Bombay Stock Exchange Ltd. (herein after referred The BSE Ltd) vide Exh. 4 through Ld. Adv. Aditya Mehta, Santosh Pawar, Farhad Panthaki and Rishabh Botardra and National Stock Exchange of India (herein after referred as NSE India) vide Ex, 13 have appeared through Ld. Adv. Mr. Prasanna Bhangale a/w Ld. Adv. Mr. Niranjan Pachupate i/b Parinam Law Associates for the applicant/Intervenor before this Court and prayed for allowing them to intervene in the

miscellaneous application to put forth their submission before the Court. Both of them submitted in their application that, they got knowledge about the present application filed by the applicant Mr. Sapan Shrivastava in which The BSE Ltd. And NSE India is also made as a party. It is necessary for the BSE Ltd. NSE India to place on record relevant facts and legal issues related to the Misc Application No. 687/2025 filed by the applicant Mr. Sapan Shrivastava with an oblique motive by wrongly impleading respondents in the present complaint. Therefore, in order to permit the intervener/applicant to place before this Court several important facts along with documents and to advance oral submissions, which clearly belie the contention of the complainant will not entitled either in law or on facts, to seek any relief and/or discretionary order from this Court.

10. Accordingly, by order dated 24.12.2025 below Exh-13, NSE is permitted to intervene has been permitted to intervene in the miscellaneous application No.687/2025 by filing their detail application Exh-4 dated 20.06.2025. The complainant after hearing by both the sides moved to Hon'ble Principal Judge for transferring this matter to CBI.

11. So also the BSE Ltd. through Ld. Adv. Aditya Mehta and Ld. Adv. Mr. Rishabh Botadra for the applicant/Intervenor BSE India *vide* application **Exh-4** prayed that, the present complaint is not maintainable *inter alia* of it being mischievous, malafide and full of falsehoods which are aimed at damaging the reputation of India's Premier Financial Institution. The said BSE file this application because the complainant has indulged in abusing the prosecution system by filing false and frivolous complaints before different forums with the

ulterior motive of creating a sensation in the eyes and minds of gullible public. This in turn will erode the trust which the public has for BSE which is India's premier financial institution. The applicant has laid out in this application, the antecedents of this complainant which will show the false and frivolous complaints/petitions filed by him before different forums including the Hon'ble Bombay High Court and the strictures passed against him by the Hon'ble Bombay High Court. If the facts brought forward by the applicant in this false, frivolous and *malafide* complaint being considered as a truthful allegation which will directly affect the financial stability of this country.

12. Ld. Adv. Mr. Aditya Mehta has further submitted in his application that, the offences alleged are over 30 years old, and the Complaint has been filed after a gross inordinate and unexplained delay clearly showing its bogus nature. In fact, at the time of the IPO, the accused No. 8 and 9 were not even associated with BSE or the listing of the Company at BSE at relevant the time. The shares of the Company got listed at BSE on 14.06.1993. The accused No.8 was appointed as Public Interest Director of BSE with effect from 19.05.2022 and was subsequently appointed as Chairperson of Board of Directors of BSE with effect from 21.12.2024. The accused No.9 was appointed as Managing Director and Chief Executive Officer of BSE with effect from 04.01.2023. Further, the complainant has made vogue and false statements regarding the bribes without any specific/particulars or any iota of evidence. No material whatsoever has been produced to support any of the allegations mentioned in the complaint. Merely because a complaint is made and SEBI had decided as per their prevalent procedures to close the complaint, the same cannot constitute an offence or lead to presumption of corruption. Such an interpretation of

the position of law would cripple the entire mechanism established by SEBI and lead to constant harassment of the officials of SEBI as well as BSE. Thus, no FIR can be directed *qua* them.

13. Ld. Adv. Mr. Aditya Mehta has further in his application submitted that, there is no mention of the violation of any specific requirements that had taken place in the IPO listing of the Company on the basis of which the complainant seeks to initiate proceedings. It is nearby assumed by the complainant, by misinterpreting the RTI's reply provided by SEBI that the entire listing process was fraudulent, and on the basis of this incorrect assumption. The complainant has, miserably failed to demonstrate any connection between IPO/listing of the company in the year 1993 and accused No.08 and 09. The entire complaint is vague, unsubstantiated, bereft of details and constitutes an abuse of process. The complainant has not even made out his locus or indicated due compliance with the requirements of the statute. Such a complaint can not form the basis of direction for the registration of an FIR as held by the Hon'ble Supreme Court in Ramdev Food Products Private Limited V/s. State of Gujarat. Accordingly, by order dated 03.02.2026 below Exh-03, BSE Ltd the submission is accepted permitting to put the submissions.

14. This is Exclusive Special Court established for MPSC Scam ACB Court Room No.45 as per directions of Hon'ble Bombay High Court in W.P. No.7554/2024 in respect of ACB FIR No.33/2002 by order dated 23.09.2024 has given directions to dispose off the matter within the span of nine months and later on it was got extended upto 31.07.2026 in view of direction in Writ Petition(St) No. 7554 of 2024 by order dated 21 St July 20025. Thus in dealing with ACB MPSC Scam High

Court Time Bound six matters, this miscellaneous application has been assigned to this Court.

15. After going through the scattered submissions of the complainant, wherein observations of the Hon'ble Apex Court and the Hon'ble Bombay High Court and various other Hon'ble High Courts have been incorporated into the pleadings, it is difficult to gather the crux of the matter. However, the sum and substance of this miscellaneous application may be summarized as follows :

1. *The complainant is investor cum Party in Person. Complainant is approaching this Hon'ble Court for white collar crime done by accused by doing corruption in the colour of dress and not discharged his duty as per direction of law in the interest of well wishers to earn bribe.*

2. *Complainant submits that accountability is defined as a system of internal and external checks and balances aimed at ensuring that public servants carry out their duty properly and are held responsible if they fail to do so. Such a system is meant to uphold integrity and deter misconduct and to restore or enhance public confidence in policing. Public servants integrity refers to normative and other safeguards that keep public servants from misusing their powers and abusing their rights and privileges. Law enforcement institutions are entrusted with a diverse set of task requiring a high degree of integrity within govt agencies and their oversight. Where this does not function well, law enforcement officers may become vulnerable acting unlawfully and outside their remit.*

1. *Complainant has invested in the shares of Infosys Limited which is listed at NSE and BSE. It has 25,42,766 approx shareholders (as per Screener. com). The Infosys Limited listed at NSE on 8 Feb 1995 and BSE on 14 June 1993 without SEBI compliance/ NOC / Permission / Consent. Here to be Marked EXHIBIT A ie Copy OF BSE and NSE Portal of Infosys Shares Details. The accused 1-10 has done offence by neglecting crime of Infosys Limited with fraudulent listing against rule of law and denied to protect the interest of investors by taking bribe and various advantage.*

(a) obtains or accepts or attempts to obtain from any person, an undue advantage, with the intention to perform or cause performance of

public duty improperly or dishonestly or to forbear or cause forbearance to perform such duty either by himself or by another public servant; or.

(b) obtains or accepts or attempts to obtain, an undue advantage from any person as a reward for the improper or dishonest performance of a public duty or for forbearing to perform such duty either by himself or another public servant; or;

(c) performs or induces another public servant to perform improperly or dishonestly a public duty or to forbear performance of such duty in anticipation of or in consequence of accepting an undue advantage from any person, shall be punishable, with imprisonment for a term which shall not be less than three years but which may extend to seven years and shall also be liable to fine.

2. Complainant further submitted that as per RTI information from SEBI the INFOSYS LTD has not done SEBI compliance and have no NOC/Permission/Consent for IPO. Accused no.7-9 listed it against SEBI Circular dated 18.06.1992 and section 73 of company act 1956. Here to be Mark EXHIBIT B ie Copy of SEBI RTI reply dated 12 July 2023 (Observation Letter etc), 11 Nov 2024 (SEBI NOC Reply), 11 Nov 2024 (MIU action taken RTI Reply) and 10 Oct 2023 (ROC Bangalore reply) and SEBI circular 18.06.1992.

3. The accused no. 1-7 denied to take action against Infosys, BSE and NSE Officials under section 15 HA of SEBI act 1992, company act and others. The SEBI has not initially instituted proceedings under the provisions of SEBI (Procedure for Holding Inquiry and Imposing Penalties by Adjudicating Officer) Rules, 1995. SEBI ACT 1992 as per section 11. (1) Subject to the provisions of this Act, it shall be duty of the Board to protect the interests of the investors in securities and to promote and development of, and to regulate the securities market by such measures as it thinks fit. (2) (e) prohibiting fraudulent and unfair trade practices relating to securities markets. SEBI under the Securities Exchange Board of India (Prohibition of Fraudulent and Unfair Trade Practices Relating to Securities Market) Regulations, 2003 and SEBI ACT 1992 15HA. If any person indulges in fraudulent and unfair trade practices relating to securities, he shall be liable to a penalty [which shall not be less than five lakh rupees but which may extend to twenty-five crore rupees or three times the amount of profits made out of such practices, whichever is higher.

16. Complainant in his application further submitted that, accused No.7 ROC Bangalore has not taken any action against Infosys

Limited fraudulently RHP filing even after complaint as per company act by taking advantage. Complainant has registered complaint to accused No.1 to 6 but no action taken by them as per SEBI Act and rules. Corruption in India is an greater issue which deeply harm the economy of Central, State and local government agencies in different ways. Corruption is hold accountable for restricting the economy of India. The accused No.1 to 7 are involved in corruption by taking money from Infosys of Rs. 25 Lacs and denied action as per SEBI Act 992. Hence, he prayed that conduct preliminary enquiry of accused No.1 to 7 crime through ACB CBI and register the FIR under IPC 198 Section 61 (2) of BNS.

17. In the context of the Judgment of the Hon'ble Supreme Court in the case of *Priyanka Shrivastav V/s. The State of Uttar Pradesh (2015) 6 SCC 287* assumes importance wherein it is held that "We have already indicated that there has to be prior applications u/sec.154(1) and 154 (3) while filing a petition u/sec.156 (3). Both the aspects should be clearly spelt out in the application necessary document to that effect should be filed". On perusal of the complaint all the mandatory is remained to be complied by the applicant/complainant prior to lodging the complaint before this Special ACB Court.

18. There are list of petitions filed by the complainant/applicant before Hon'ble High Courts which came to dismissed with details orders by imposing costs. Also the Ld. District Judge and Additional Sessions Judge Thane and Ld. J M F C Court No. 4 Kalyan has passed detail order on the complaint filed by the complainant/applicant Mr. Sapan Shrivastava.

1)PIL No. 101/2018

Sapan Shrivastava and Another

V/s.

Maharashtra Class Owners Association @MCOA and Others

Order dated 23-04-2019 – Dismissed. Justice Shri. Pradeep Nandrajog, C. J., and Justice Shri. N. M. Jamdar, J. has observed that - *We are not at the cause projected by the petitioner but the manner of projecting the cause. The petitioner has been filing multifarious public interest litigations in this Court without proper research. In the petition, grievance is to coaching institutions imparting coaching to students in the State of Maharashtra in buildings which petitioner claims do not have necessary clearance under the Maharashtra Fire Prevention and Life Safety Act, 2006. 2. No particulars of any coaching institutions has been shown. The petitioner states that he sought information under the Right to Information Act and got response that there is no record pertaining coaching institution having applied for the necessary fire clearance. 3. Suffice it to state under the Law a coaching institution need not seek fire clearance permission. For a building which is used for commercial purpose or activity the owner has to apply for and obtain necessary fire clearance certificate. Thus, the petitioner ought to have sought information pertaining to fire clearance obtained by owners of commercial buildings. 4. We cannot proceed ahead with the writ petition. Writ petition is dismissed.*

2)PIL No. 48/2018

Sapan Shrivastava and Ors.

V/s.

FDA Thane @FSSAI and Ors.

Order Dated - 26-04-2019 - Dismissed.

Justice Shri. Pradeep Nandrajog, C. J., and Justice Shri. N. M. Jamdar, has observed that - *Petitioner, who appears in the present petition seeks leave to withdraw the petition on account of vagueness in the pleadings. 2. The petition is dismissed as not pressed.*

3)PIL No. 51/2019

Sapan Shrivastava and another.

V/s.

Nutan Saraswati Hindi High School & Junior College and others

Order Dated - 19-06-2019 - Dismissed.

Justice Shri. Pradeep Nandrajog, C. J., and Justice Shri. N. M. Jamdar, J has observed that – *In view of the vague averments in the Public Interest Petition, the Petitioner who appears in person seeks leave to withdraw the Public Interest Petition with right to file a fresh petition concerning Fire Safety Regulations but after making proper pleading and doing proper research. Granting liberty as prayed for the Public Interest Petition is dismissed as not pressed.*

4) PIL No. 103/2018

Sapan Shrivastava

V/s.

State of Maharashtra and Ors.

Order Dated - 27-06-2019 - Dismissed.

Justice Shri. Pradeep Nandrajog, C. J., and Justice Shri. N. M. Jamdar, J. has observed that - P. C. : 1. *The Petitioner is a Journalist and has filed over 30 Public Interest Petitions in this Court. He knows the rules of drafting Petitions. He knows the procedure of this Court.* 2. *In the instant Petition it is pleaded by the Petitioner that to give effect to the mandate to the Right of Children to Free and Compulsory Education Act, 2009, the Government of Maharashtra has provided for a quota in private schools where children, whose parents are economically backward, have to be given admission and the expenses towards education, as determined by the Government, is paid to the management of the schools. The grievance is that as a result of funds not being made available to the schools they are not admitting children in the school under the quota.* 3. *These are generic averments without any specific case. Not a school is referred to where a child was denied admission in the quota prescribed on account of management taking the stand that the Government had not released the funds.* 4. *The Petition is dismissed.*

5) W. P. No. 10019/2015 Sapan Shrivastava

V/s. School Education & Sports Department and others.

Order Dated - 04-07-2019 - Dismissed.

Justice Shri. Pradeep Nandrajog, C. J., and Justice Shri. N. M. Jamdar, J has observed that - *P.C. 1- The Petitioner has been filing large number of Public Interest Litigations in this Court after obtaining information under the Right to Information Act. Questioned as to how many Petitions he has filed in public interest, the Petitioner states that he does not recollect the exact number but the same is not less than 25. 2. In the present Petition on the plea that he belongs to the economically weaker section of the society having income less than Rs.1,00,000/- per annum Petitioner claims that his son is entitled to admission in a private school in the 25% quota for children whose parents have income of less than Rs. 1,00,000/- per annum. 3. It cannot be that the Petitioner has means to pay money and obtain information under the Right to Information Act and file as many as 25 Public interest Litigations and at the same time claims to be from the economically weaker section of the society. 4. It also has to be noted that in all the PILs filed by the Petitioner, as per rules of this Court on oath he has been stating that the entire money spent in filing and prosecuting the Public Interest Litigations are from his own sources. 5. We are of the opinion that the assertion of the Petitioner that his income is less than Rs. 1,00,000/- per annum is incorrect. The Petitioner is not entitled to have his son admitted in any school in the 25% quota reserved for children whose parents' income is less than Rs. 1,00,000/- per annum. 6. The Petition is dismissed.*

6) PIL No. 100/2018

Sapan Shrivastava and another.

V/s.

Reserve Bank of India and others.

Order Dated - 12-07-2019 – Dismissed.

Justice Shri. Pradeep Nandrajog, C. J., and Justice Shri. N. M. Jamdar, J has observed that - *P. C. 1. The Petitioner No. 1 is a busy body and keeps on filing Petitions in this Court on half-baked research. 2. The first direction sought is that RBI be directed to implement section 23 of the Banking Regulations Act, 1949 and the guidelines issued by RBI that Banks must obtain No Objection Certificate from the Municipality concerned if the branch or place of operation of business is within the limits of Municipality. 3. The information obtained under the Right to Information Act is relied upon. The information is to the effect that while taking premises on rent, Banks should ensure that the location of the branch complies with the local norms/laws of the Municipal*

Corporation. 4. This only means that the Banks should be opened from premises user whereof includes Banking. The RTI query does not inform that Banks have to obtain No Objection Certificate from Municipalities. 5. On the issue of fire safety, suffice it to state that there is no law which requires a Bank to obtain a fire safety clearance. As per the Municipal Laws, building which require fire safety clearances need to be subjected to an inspection and the duty is on the owner of the building to obtain a fire clearance. 6. The Petition is dismissed.

7) PIL No. 112/2016

Sapan Shrivastava

V/s.

Securities & Exchange Board of India and others.

Order Dated - 01-08-2019 - Dismissed imposing cost of Rs. 25,000/-

Justice Shri. Pradeep Nandrajog, C. J., and Justice Shri. Nitin Jamdar, J. has observed *P. C. 1. Yet another frivolous Petition. To enter Securities & Exchanges Board of India (SEBI) Head Quarters at Mumbai a gate-pass has to be obtained by the visitors that the reason is obvious. Security has to be maintained. 2. The Petitioner desires unregulated entry of people to the building where SEBI functions. 3. No such direction can be issued for the reason issues fo security have to be dealt with and implemented by the officers of the various offices functioning from public building. 4. The Petition is dismissed imposing cost of Rs. 25,000/- on the Petitioner to be paid to SEBI.*

8) PIL No. 142/2018

Sapan Shrivastava

V/s.

HDFC Asset Management Company Ltd. @HDFC AMC & Ors.

Order Dated - 13-08-2019 - Dismissed.

Justice Shri. Pradeep Nandrajog, C. J., and Justice Smt. Bharati Dangre, J. has observed that – P.C. - 1. Yet another frivolous Public Interest Litigation. The grievance of the petitioner is that the first respondent is not making aware potential investments of a SEBI observation letter dated June 22, 2018 and SEBI clarification e-mail dated June 26, 2018. In the petition, there is no averment regarding the contents of the SEBI observation dated June 22, 2018 and SEBI clarification e-mail dated June 26, 2018. 2. Thus, the Public Interest

Litigation is dismissed.
9) PIL No. 159 /2016 Sapan Shrivastava V/s. Ministry of Human Resources & Development & Anr. Order Dated - 05-09-2019 - Dismissed impose cost of Rs. 5,00,000/- Justice Shri. Pradeep Nandrajog, C. J., and Justice Smt. Bharati Dangre, J has observed that – PC:- 9. <i>We are satisfied that the Petitioner is misusing the process of the court for the reasons on the web page of the Petitioner he has been posting the orders passed by this Court in the instant Public Interest Litigation seeking funds from the public. 10. While dismissing the Public Interest Litigation, as punishment for gross abuse of process of the Court, we impose costs in the sum of ₹ 5 lakhs upon the Petitioner which he shall deposit with Respondent No.2 within four weeks from today. The Petitioner shall file with the Prothonotary & Senior Master of this Court proof of cost paid. 11. We direct the Registry not to entertain any Petition filed by the Petitioner in future unless the Petitioner files proof of cost paid to Respondent No.2 within four weeks from today.</i>
10. Criminal M. A. No. 283/2023 Sapan Shrivastava V/s. Heath Department, Thane Municipal Corporation and Kalyan Dombivali Municipal Corporation Order Dated - 12-12-2023 - Rejected. Additional Sessions Judge – Amit M. Shete has passed following order – <i>On perusal of entire complaint, it is apparent that the complainant, on the basis of information and the inference drawn the complainant, has filed present complaint. There is no specific allegations against the respondents about issuing licence to particular hospital which does not have any fire NOC. Above that, the complainant arrayed the respondent No.3 and 4 who are the competent health authority under KDMC i.e. beyond the territorial jurisdiction of this Court. That apart, the allegations are rather general in nature, thus there appears no reason to send the complaint for inquiry, complaint is hereby rejected.</i>

11). Order Below Exh-01 M. A. No. 350/2023

Sapan Shrivastava

V/s.

N R Narayanan Murthy.

Order Dated - 09-04-2025 - Rejected u/sec 156(3) Cr. P. C.

Judicial Magistrate First Class (Court No. 5), Kalyan – S. R. Lambhate has passed following order – *The prayer to direct investigation under Section 156 (3) of the Cr.P.C. is rejected.*

19. During the submission learned advocate for the intervenor have brought all these factual aspect to the notice of the court by placing the copies thereof on record. All the copies are not disputed by the applicant/complainant. Therefore, he is within full knowledge of all these aspects in spite of it, the applicant/complainant is repeatedly approached the Court of Justice and making mockery of the Judicial process by interference in administration of criminal justice system by playing with judicial procedural and judicial precedents.

20. Also the counts raised in respect of various objections in the intervention application which duly replied by the applicant/complainant crystalize that there is no initiation of mandatory compliance of Section 175(4) of BNS to report and lodged the complaint. Even to the concerned officer of the police or ACB and even if email is delivered whether he appeared in person within three days before the concerned authority to sign the complaint lodged online. But instead of it applicant/complainant is putting the gun on the shoulder of the Court by misusing the judicial process. It required to be restrained for ever. Therefore, the cognizance of such frivolous complaint by taking misuse of e-filing procedure needs to be restricted

by having necessary directions to be issued by the concerned authorities or by some standard operating procedure.

21. After going through the entire aspect, the complaint and the subsequent submission in the form of better particulars are totally contradictory to each other, and therefore, at each and every point, the complainant has tried to secure his oblique motive by making such frivolous complaints. Therefore, the complaint tendered in this Court also needs to be rejected without taking any cognizance.

22. So also after considering the entire record and submissions and documents tendered on record, it is evident that the complaint and the subsequent submissions made in the form of better particulars are totally contradictory to each other. Therefore, at every stage, the complainant has failed to prove his case and appears to be presuming to fulfill his oblique motive by filing such frivolous complaints. Consequently, the complaint tendered before this Court does not warrant taking cognizance and is liable to be rejected. Hence, I have no hesitation in observing that the complaint is not maintainable and deserves to be rejected.

23. Further, for the sake of repetition , it is pertinent to note that, against same type of complaint against the same respondents have already filed by the applicant/complainant before the Ld. JMFC, Court Room No.5 Kalyan through by detail order on 09.04.2025 have rejected the prayer to direct the investigation under Section 156 (3) of Cr.P.C., 1973. Also applicant/complainant has approached the Court of Additional Sessions Judge of Thane in Criminal MA o.283/2023 for issuance of directions under Section 156 (3) of Cr.P.C. seeking

investigation against the respondents No.1 to 4, who are Competent Authority under KDMC. The said complaint was also dismissed on 12.12.2023 by the learned Additional Sessions Judge, Thane. Consequently, the order passed by the learned JMFC, Kalyan, Thane in MA No. 350/2023 dated 09.04.2025, having not been challenged, has attained finality and thus the question of entertaining such complaint again does not arise nor it is permissible in the eyes of law.

24. However, before parting with the final order, it is necessary to clarify that, no order as to costs has been passed in view of the observations of the Hon'ble Chief Justice of the Hon'ble Bombay High Court in PIL No.159/2016 dated 05.09.2019 by observing that, as punishment for gross abuse of process of the Court, we impose costs in the sum of Rs.5 lakhs upon the petitioner.

25. Thus, it is crystal clear that, the complainant/applicant is in habit of hunting the forum to any how got his desired oblique motive to be satisfied by abusing the process of law. As enumerated above, the Chief Justice of Hon'ble Bombay High Court Shri. Pradeep Nandrajog in the order dated 05.09.2019 in PIL No.159/2016 by directed Registry not to entertain any petition filed by the petitioner in future unless the petitioner files proof of costs paid to respondent No.2 within four weeks from today of which no compliance has yet been reported. Therefore, it appears that the complainant who is in habit of filing such type of frivolous petition even though dismissed repeatedly by Hon'ble Bombay High Court Despite being saddled with costs by the Hon'ble High Court, the complainant has not taken any lesson and continues to approach one court after another by filing such frivolous petitions. Hence, it deserves to be rejected and proceed to pass following order -

ORDER

1. ACB Misc. Application No.687 of 2025 filed by applicant Mr. Sapan Shrivastava to take action under Section 175 (3) of BNS against Respondent No. 1 to 10 and Respondent No. 11 and 12 is hereby rejected.
2. No order as to costs.
3. Accordingly, ACB Misc. Application No.687 of 2025 stands disposed off.
4. Case papers be filed.



Date : 03.02.2026

(Abhijeet A. Nandgaonkar)
Exclusive Special Court, (MPSC Scam)
ACB (C. R. No.45)
and Additional Sessions Judge
City Civil & Sessions Court
Fort , Gr. Bombay

Dictated on : 03.02.2026.
Transcribed on : 03.02.2026
Signed on : 04.02.2026

CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”

UPLOAD DATE AND TIME : 04.02.2026, 05.22 p.m

NAME OF STENOGRAPHER : Mr. Harshal D. Jagtap
(Stenographer Grade-I)

Name of the Judge (With Court Room No.)	HHJ Abhijeet A Nandgaonkar C.R. No.45
Date of Pronouncement of JUDGMENT/ORDER	03.02.2026
JUDGMENT/ORDER signed by P.O. on	04.02.2026
JUDGMENT/ORDER uploaded on	04.02.2026