

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 923 OF 2015

Gayasoddin S/o Abdul Rashid Shaikh

Age : 45 years, Occu.: Service,

R/o. Killa Galli, Udgir,

Tq. Udgir, Dist. Latur

.. Applicant

Vs.

Shaikh Balesaheb S/o Nabisab Masumdar

Age : 55 years, Occu.: Driver,

R/o. Samta Nagar, Near Farooqui

Oil Mill, Udgir, Tq. Udgir, Dist. Latur

.. Respondent

Mr. R.S. Shinde, Advocate for applicant

Mr. J.S. Gavane, Advocate for respondent

CORAM : M.T. JOSHI, J.

DATE : 25/08/2015

ORAL ORDER :

Heard both sides.

2. It is an admitted fact that a civil suit is pending between both the parties. The same issue is being agitated. The issue is, as to whether the cheques were passed towards the receipt of hand-loan by the respondent or as to whether, it was a case of agreement of sale of immovable property, for which a specific performance is sought in the civil Court.

3. Considering the fact that arguable case is made out, leave to file appeal is hereby granted. Application is accordingly allowed and disposed of.

4. Appeal be registered as per due procedure of law.

[M.T. JOSHI]
JUDGE

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