

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 301 OF 2015

Vinayak s/o Murlidhar Shidore & ors. ...Petitioners

versus

Anita Vinayak Shidore ...Respondent

.....
Mr. A. C. Darandale, Advocate for petitioners
Mr. P. A. Bharad, Advocate for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 21st OCTOBER, 2015

ORAL ORDER :

The order dated 15/11/2014, passed by the Additional Sessions Judge, Newasa, dismissing the revision for want of prosecution, is questioned in the present petition.

2. Learned Counsel for the petitioner submits that, after transfer of the proceedings to Sessions Court, Newasa Court from Sessions Court, Shirampur, though notices were ordered to the parties, without confirming the service of notice the learned Court dismissed the revision for want of prosecution.

3. The above referred submissions are not objected by the

learned Counsel for the respondent, as same are substantiated from the contents of Roznama. In view thereof, the order dated 15/11/2014, passed by the Additional Sessions Judge, Newasa, dismissing the revision, is without hearing of the present petitioner and also without serving him any notice of transfer.

4. In view of above, in my opinion, the order dated 15/11/2014, is set aside. Criminal Revision No. 38 of 2014 stands restored to the file of learned Sessions Judge, Newasa. The parties, who are present before this Court, undertakes to appear before the learned Sessions Judge, Newasa in the above referred proceedings on 23/11/2015.

5. Criminal writ petition stands disposed of .

[N.W. SAMBRE, J.]