

**IN THE HIGH COURT AT BOMBAY  
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 329 OF 2013

Vishwanath Devidas Kadam                      ....**Petitioner.**

**Versus**

The State of Maharashtra                      ....**Respondents.**

Mr. A.G. Mukhedkar, Advocate for petitioner.

Mr. S.B. Pulkundwar, APP for State.

**CORAM : T.V. NALAWADE &  
SMT. I.K. JAIN, JJ.**  
**DATED : 1st April, 2015.**

**ORDER :**

1.            The petition was filed on 3.4.2013 and no interest was shown to prosecute the matter. Only due to specific directions given by this Court, all the matters pending in the Board Department were placed before this Court. The limited point is involved i.e. necessity of sanction for prosecuting the public servant for the offence punishable under section 409 etc. of I.P.C. The learned counsel for petitioner on instruction submits that as charge sheet is filed, liberty may be given to him to raise this issue before the Trial Court.
2.            With that liberty, the petition is disposed of.

**[ SMT. I.K. JAIN, J. ]**

**[ T.V. NALAWADE, J. ]**

ssc/