

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3765 OF 2013
(Shivsharan Nagbasappa Nare Vs. V.T. Patil and another)
AND

CRIMINAL APPLICATION NO. 3262 OF 2013
(Vishwanath Apparao Dhumale Vs. V.T. Patil and others)
AND

CRIMINAL APPLICATION NO. 3265 OF 2013
(Prabhu Mahadeo Dhumale Vs. V.T. Patil and others)

Mr. B.R. Sontakke Patil, Advocate for the applicants
in all the three applications

Mr. A.S. Kadam, Advocate for respondents No. 1, 3 and 4
in all the applications

Mr. P.N. Muley, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.

DATE : 02/09/2015

ORAL ORDER :

1. Heard both sides.
2. The learned counsel for the applicants points toward the reasoning forwarded by the learned Judicial Magistrate First Class, Tuljapur, which would show that the respondents were acquitted for the reasons that the applicant/complainant failed to show as to under what process, the mutation entry was effected. It is the case of the applicant/complainant that without following any process of law, all of a sudden, the changes were

made in the record of rights just within a period of four months and three different entries were made. The respondent No. 1 is the talathi. In the circumstances, it was specifically within his knowledge as to on the basis of which documents and by following the due process, he has carried those mutation entries.

3. Upon hearing both sides and without making any comment on merit of the case, as argued by the learned counsel for the applicants, in my view, an arguable case is made out. In the circumstances, leave to file appeals, in all these three applications, is hereby granted. All the present three applications accordingly stand allowed and disposed of.

[M.T. JOSHI]
JUDGE

npj/criapln3765-2013