

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's orders.	Office Coram,	Court's or Judge's orders.
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CRIMINAL APPLICATION NO. 6177 OF 2014

RAM @ RAMRAO NARSINGRAO KADAM AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicants : Mr. Rathi Swapnil S.
APP for Respondent No.1: Mr. A. V. Deshmukh.

CORAM: T. V. NALAWADE, J.
DATED: 10th FEBRUARY, 2015.

PER COURT:

1. The application is filed for transfer of two cases presently pending in the Court of Additional Sessions Judge, Parbhani. The case numbers are 11/12 and 119 of 2012. Both sides are heard.
2. Learned A.P.P. has produced the report submitted by present Public Prosecutor of Parbhani.
3. The report shows that the matters are very old and they are making attempt to expedite their disposal. The witnesses are to be examined on 12th February, 2015 and accordingly witness summons are issued. The submissions made show that in the past the matters

were transferred at the instance of applicant No.17 from Gangakhed to Parbhani and on that occasion he had some grievance against the Presiding Officer of Gangakhed Court. It is submitted that the said Presiding Officer is now transferred and the matter can now go back to Gangakhed Court. Learned A.P.P. points out that the transfer of the Presiding Officer took place in the month of June, 2013 itself.

4. From the submissions made, it can be said that the attempt is being made by the accused persons to protract the decision of the case. The incident is of 2009. State is ready to bear the expenses in respect of the witnesses. There cannot be question of convenience of the present applicants as the matters were transferred long back to the Parbhani Court and they had no grievance at that time when the matters were transferred. This Court holds that it is nothing but delaying tactics by the applicant. In view of this, the application is rejected.

[T. V. NALAWADE, J.]

Dt.10/02/2015
ans/6177