

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRI. WRIT PETITION NO. 1764 OF 2014

Ratnakala Ashok Katkam

... Petitioner.

V/s.

The State of Maharashtra

... Respondent.

Mr. Balkrishna D. Joshi, Advocate for the Petitioner.

Mr. Dinesh P. Adsule, APP for the State.

CORAM : A.V. NIRGUDE, J.

DATE : 01st DECEMBER, 2015.

P.C. :

1 Perused the communication dated 18th November, 2015 received from the learned Additional Sessions Judge, Solapur, explaining as to why he could not implement/comply with the order passed by this court within time. The explanation given is entirely unacceptable. This court on 14th September, 2015 had directed the learned Judge to dispose of the application, seeking release of the property in attachment within one week. The learned Judge says that he perused the said order of this court only on 30th October, 2015, as it was shown to him on that day. This statement, on the face of it, appears to be in contempt of this court. The learned Judge mentions that on 2nd November, 2015, the learned APP opposed the application. Then the learned Judge also

mentions that he thought it fit to issue notice to the accused before he could dispose of the application. All these activities on the part of the learned Judge are against the observations made by this court in the order dated 14th September, 2015. Had the learned Judge perused the order carefully, he would realize that the application deserved to be allowed immediately. In the order, my learned predecessor specifically mentioned as under

“In fact, the prayer as become infructuous as attachment order remains in force only till absconding accused is arrested”.

2 The learned Judge is directed to dispose of the application within one week from today.

3 The office shall immediately convey this order to the learned Judge by email.

4 This petition stands disposed of accordingly.

(A.V. NIRGUDE, J.)

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