

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

CRIMINAL WRIT PETITION NO. 311 OF 2015

Mr. Rajendra Nemichand Kothari ... Petitioner.

V/s.

The State of Maharashtra & Anr. ... Respondents.

Mrs. Sunanda Kumbhat, Advocate for the Petitioner.

Mr. Ajay Patil, APP for the State.

CORAM : M.L.TAHALIYANI,J.

DATE : 17th MARCH, 2015

P.C. :

1 Heard the learned counsel for the Petitioner and the learned additional public prosecutor for the State.

2 Perused the order dated 20th December, 2014 passed by the appellate court. It is submitted by the learned counsel for the petitioner that respondent no.2 has not paid the amount, as directed by the appellate court. It is further submitted that on number of occasions extension was given for payment of 30% of the compensation amount, as a condition for grant of suspension of sentence. It is submitted that respondent no.2 has not complied with the order of the appellate court and that despite non-compliance of the orders, the appellate court and the trial court are not taking further action in accordance with the law.

3 After having heard the learned counsel for the petitioner, I pass following order :

- i. The learned additional Sessions Judge who is hearing the Appeal No. 703 of 2014 shall examine all the points raised by the applicant and shall see if his order is complied or not and shall also take necessary steps if the order passed by the appellate court is not complied with.

4 No further orders are required in the present petition. Petitions stands disposed of.

5 The Petitioner is at liberty to move the appellate court for seeking necessary orders in view of what has been stated by this court hereinabove. The application, if made by the petitioner, shall be decided by the learned appellate court within a period of eight days from the date of making the application.

6 The petitioner is at liberty to move this court, if he does not get the requisite/appropriate relief from the appellate court.

(JUDGE)

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