

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

**CRIMINAL APPLICATION NO.466 OF 2015
IN
CRIMINAL APPEAL NO.913 OF 2012**

Katar Garments & Textiles ... **Applicant**
V/s.
Vinayak Collection & Ors. ... **Respondents**

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Mr.Omkar Nagvekr i/b.Prabha Badadare, Advocate for the Applicant.

Mr.J.S.Chandnani, Advocate for the Respondent Nos.1 and 2.

Mr.Deepak Thakre, APP for the Respondent/State.

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CORAM : ABHAY M. THIPSAY J.

DATED : 18TH APRIL 2015

P.C.

1. Heard.

2. It is clear that the record and proceedings which have been called for by this Court in connection with the Criminal Appeal No.913 of 2012 would be required for the purpose of Civil Suit that is pending before the Civil Judge, Senior Division, Kolhapur.

3. In the ordinary course, the appeal is not likely to be heard by this Court within a short time. However, it would be proper, in the circumstances, that the applicant makes an application to the learned Civil Judge, Senior Division requesting him for summoning the record that is in the custody of this Court in connection with the aforesaid Criminal Appeal. It would be open for the Civil Judge, Senior Division to issue summons/a request letter calling for such record.

4. In the event of the learned Civil Judge, Senior Division calling for such record and proceedings, the registry shall forward the same to the concerned Court.

5. The application is disposed of in the aforesaid terms.

(ABHAY M. THIPSAY J.)