

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO.34 OF 2016

Sai Kuber Builders and Developers,
A partnership Firm through it's authorized
Signatory Partner,
Dilip s/o Jotirao Patil,
Age: 65 years, Occu: Business,
R/o: 2189, Ward "D", Shukarwar Peth,
Tq. & Dist. Kolhapur

..PETITIONER

VERSUS

Sacheen s/o Madhukarrao Mule,
Age: 50 years, Occu: Business,
R/o: "SaiSharan", Gut No. 41,
Golwadi, Paithan Road,
Tq. & Dist. Aurangabad

..RESPONDENT

Mr K. S. Kolapkar, Advocate for petitioner;
Mr M. R. Sonawane, Advocate for respondent

CORAM : N.W. SAMBRE, J.

DATE : 26th October, 2016

ORAL ORDER :

Heard.

2. It is reported that the Presiding Officer of the court below is already transferred and upon perusal of the order impugned, there is hardly any reason for ordering transfer of proceedings in exercise of powers under section 408 of the Code of Criminal Procedure.

3. In view thereof, the order dated 29th December, 2015, passed by Principal District Judge, Aurangabad, in Criminal Misc. Application No.234 of 2015, is hereby quashed and set aside.

(2)

Criminal Writ Petition stands allowed in above terms.

(N.W. SAMBRE, J.)

amj