

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 124 OF 2016

Ramchandra Totaram Multani

Petitioner

VERSUS

The Kalyan Janata Sahakari Bank Ltd. & others

Respondents

Mr. V. S. Bedre, Advocate for the Petitioner.

Mr. P. S. Paranjape, Advocate for the Respondent Nos.1 to 19.

Mr. S. G. Karlekar, APP for Respondent No.24/State.

None for Respondent Nos.20 to 23.

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(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 20/06/2016

PER COURT :

1. In the course of his submissions, Mr.Bedre learned Advocate submits that on the one hand, the petitioner paid Rs.29,00,000/- (Rupees Twenty nine lac) to respondent No.1/Bank and on the other hand, the said bank has also received Rs. 29,00,000/- (Rupees twenty nine lac) from respondent Nos.20 and 21, who have illegally purchased the flat from respondent Nos.22 and 23 despite the said flat having been sold to the petitioner.

2. Mr.Paranjape, learned Advocate appearing on behalf of respondent Nos.1 to 19, submits that neither before the Magistrate, nor before the Revisional Court, these aspects came on record and, therefore, this was not the contention of the petitioner before the learned Courts.

3. Mr. Bedre submits on instructions that the petitioner desires to withdraw this petition with liberty to file a proper application setting out additional factors as have been recorded in paragraph No. 1 of this order. If those factors are found to be true, the petitioner may pray for a direction to the Police authorities to recover Rs. 29,00,000/- (Rupees twenty nine lac) from the bank.

4. Considering the above, this petition is disposed of as withdrawn with liberty to file a fresh application before the learned Magistrate as noted above.

(RAVINDRA V. GHUGE, J.)