

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

CRIMINAL WRIT PETITION NO. 262 OF 2009

SHIVAJI RAMJI KOKATE
VERSUS
THE STATE OF MAH AND ANR

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Mr Arvind Deshmukh advocate for petitioner
Mr A R Kale APP for respondent state.

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CORAM : V.K. JADHAV, J.
Dated: October 24, 2016

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PER COURT :-

1. The learned counsel for the petitioner present. The learned APP for the respondent state submits that, on the basis of the directions given by the learned Magistrate in Criminal Application No.268/2008, the crime No.236/2008 came to be registered at Police Station, Bhagyanagar and after due investigation charge sheet came to be submitted before the Court.

2. The learned counsel for the petitioner submits that, this Court by order dated 16.10.2009, issued Rule and further directed that prayer for confirmation of ad-interim relief is to be considered if the amount of Rs.21.00 lacs is deposited and, if, the amount is not

deposited, the interim relief will be vacated and petition will be deemed as dismissed. The learned counsel submits that the petitioner has challenged this order up to the Supreme Court. However, by order dated 6.4.2010 in view of the Hon'ble Supreme Court's order dated 4.1.2010, the present Criminal Writ Petition is restored and the same is kept pending sine die till the Supreme Court decision in SLAP (Cri) No.9849/2009. The Hon'ble Supreme Court by order dated 30.7.2010 dismissed the aforesaid S.L.P.

3. Admittedly, the petitioners have not complied with the order passed by this Court directing the petitioner to deposit Rs.21.00 lacs in this Court within four weeks. In view of this, interim relief got vacated automatically and petition also dismissed.

4. In view of this nothing survives in this criminal writ petition. Criminal writ Petition is accordingly disposed off. Rule discharged.

(V.K. JADHAV, J.)

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aaa/-