

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

CRIMINAL APPLICATION NO. 2826 OF 2016
IN
CRIMINAL WRIT PETITION NO.953 OF 2014

ANIL S/O DATTATRAYA SHIRUDE
VERSUS
DADASAHEB WAMAN VISHNU SHINKAR CO OPERATIVE SOCIETY AND
ANOTHER

...
Advocate for Applicant : Shri Deshpande C.R.
APP for Respondent 2 : Shri N.T.Bhagat.
Advocate for Respondent 1 : Shri D.S.Bagul.

...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 17th June, 2016

Per Court:

1 Shri Bagul, learned Advocate and the learned APP appeared on behalf of the Non Applicant Nos.1 and 2 respectively.

2 For the reasons set out in the application, the same is allowed. Delay of 50 days caused in filing this application is condoned and Criminal Writ Petition No.953/2014 is restored by recalling the order dated 07.03.2016.

3 The learned Advocates for both the sides pray that the criminal writ petition be heard today.

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Advocate for Petitioner : Shri Deshpande C.R.
APP for Respondent 2 : Shri N.T.Bhagat.
Advocate for Respondent 1 : Shri D.S.Bagul.

...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 17th June, 2016

Per Court:

1 Considering the order passed today in Criminal Application
No.2826/2016, this petition has been restored.

2 Shri Deshpande, learned Advocate for the Petitioner and Shri
Bagul, learned Advocate for Respondent No.1, jointly submit that the
pending Criminal Appeal No.13/2014 can be decided on it's merits by
disposing of this petition. It is further submitted that considering the fact
that this Court had granted interim protection to the Petitioner in terms of
prayer clause (C) vide it's order dated 25.08.2014, the said protection may
be continued and the pending Criminal Appeal No.13/2014 could be

decided within a particular time frame. They further submit that the appeal is ready for final hearing before the Court below.

3 In the light of the statements made above, this Criminal Writ Petition is disposed of by continuing interim protection granted by this Court vide order dated 25.08.2014 and the learned Additional Sessions Judge, Dhule is requested to decide Criminal Appeal No.13/2014 as expeditiously as possible and preferably on or before 15.10.2016.

4 Needless to state, all the contentions and grounds of the litigating sides are kept open.

kps

(RAVINDRA V. GHUGE, J.)