

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CRIMINAL WRIT PETITION NO.761 OF 2015

DR.NANDKUMAR MADHUKARRAO SABNIS

PETITIONER

VERSUS

ASHOK GANPATRAO WAGHMARE

RESPONDENT

Mr.Mukul S.Kulkarni h/f Mr.S.R.Vakil, Advocate for the petitioner.
Mr.Satej S.Jadhav, Advocate for the respondent.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 21/06/2016

PER COURT :

1. Learned Advocate for the petitioner submits on instructions that the impugned order dated 29/10/2014 can be assailed u/s 397 of the Cr.P.C. and hence the petitioner seeks liberty to withdraw this petition so as to avail of the said remedy.

2. Learned Advocate for the petitioner further submits that since the petitioner was protected by the order of this Court dated 03/09/2015 in terms of prayer clause "C", the said relief be continued for a period of 6 (six) weeks considering the hospitalization of the petitioner. This would enable the petitioner to prefer criminal revision application within the said period.

3. Mr.Jadhav, learned Advocate appearing on behalf of the

respondent submits that it be noted that the protection extended for 6 (six) weeks should not give a right to the petitioner to seek further extension.

4. In the light of the above, this petition is disposed of as withdrawn, with liberty as prayed for. The order of this Court dated 03/09/2015 shall continue only for a period of 6 (six) weeks from today. The Revisional Court, while considering the criminal revision to be filed by the petitioner, shall decide the same on its own merits and the grant of interim relief by this Court on 03/09/2015 shall not be construed to be any decision on the merits of the matter.

5. The period spent in this writ petition from 19/06/2015 till this date shall be a ground for condonation of delay, if any.

(RAVINDRA V. GHUGE, J.)