

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1162 OF 2016

SANDIP S/O POPAT GAWADE
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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Advocate for Petitioners : Mr.N.V.Gaware h/f Mr. Mahajan Anirudha H.
APP for Respondents: Mr. M. M. Nerlikar

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**CORAM : S. S. SHINDE AND
V. K. JADHAV, JJ.**

DATED: 29th SEPTEMBER, 2016

P.C. :-

1. Learned counsel for the petitioner, on instructions, seeks leave to withdraw this writ petition with liberty to approach the appellate authority. However, the appellate authority may be directed to decide the appeal and the stay application, which would be filed within stipulated period. Leave granted. Writ petition is dismissed as withdrawn with liberty as prayed for.

2. In case the appeal is filed within two weeks from today, we direct the appellate authority to decide the said appeal, as expeditiously as possible, however, within four weeks from the date of filing of such appeal. Needless to observe that, in case stay application is filed by the petitioner, the appellate authority to take

decision on the said stay application forthwith.

3. Further needless to observe that while entertaining the appeal on the point of delay, the appellate authority shall keep in mind the time spent by the petitioner in prosecuting the present writ petition.

(V. K. JADHAV, J.)

(S. S. SHINDE, J.)

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