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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.219 OF 2003

Bhartiya Govansha Rakshan Savardhan Parishad
Through its Authorised Officer Mr.Rajendra Patil ...Petitioner
Versus
The State of Maharashtra and Anr. ...Respondents

Ms.Sunanda R. Kumbhar, for the Petitioner.

Ms.A.A.Mane, A.P.P for the Respondent-State

***CORAM : REVATI MOHITE DERE, J.
DATE : 20th AUGUST, 2016***

P.C. :

1. Heard learned Counsel for the petitioner and the learned A.P.P.
2. Ms.Sunanda R. Kumbhar, learned counsel for the petitioner submits that similar writ petitions arising out of a common order passed by the learned Judicial Magistrate, First Class, Thane in various Miscellaneous Applications, have been disposed of by this Court vide order dated 31st March, 2015. She states that inadvertently the present Writ Petition was not listed with the aforesaid group of writ petitions, which were disposed of

vide order dated 31st March, 2015, by which the orders impugned in the said writ petitions were quashed and set aside. She submits that in the present Writ Petition, the order impugned is also a common order passed by the learned Judicial Magistrate, First Class, Thane in Miscellaneous Application No.36 of 2003.

3. Learned APP does not dispute the fact, that in the connected Writ Petitions, this Court had quashed and set aside the impugned orders and that the present petition is also covered by the aforesaid order dated 31st March, 2015.

4. Accordingly, the petition is allowed and the impugned order passed in Miscellaneous Application No.36 of 2003, is quashed and set aside.

5. The animals are at present in the custody of Bhartiya Govansha Rakshan Savardhan Prashad. The custody shall be continued till the disposal of the cases, pending in the court of learned Magistrate against the accused/owners of the animals, under the provisions of Prevention of

Cruelty to Animals Act. Hearing of the said case is also expedited. The said case shall be decided within the same time frame, as is directed by this Court in its order dated 31st March, 2015, passed in connected Writ Petitions. Final custody of the animals will be subject to the orders of the learned Magistrate at the conclusion of the trial.

6. The Petition is disposed of in the above terms.
7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.