

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.84 OF 2009
IN
CRIMINAL WRIT PETITION NO.530 OF 2008
WITH
CRIMINAL WRIT PETITION NO.1007 OF 2008
WITH
CRIMINAL WRIT PETITION NO.1008 OF 2008
WITH
CRIMINAL WRIT PETITION NO.1009 OF 2008

Office Notes, Office
memorandum of Coram,
appearances, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Mrs. M.H. Mhatre, APP for the Applicant-State.
None for the Respondents.

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CORAM : A.S. OKA & A.A.SAYED, JJ
DATED : 31ST AUGUST 2016

P.C.:

. The prayer is for recall of the order dated 5th
March 2009. As both the Hon'ble Judges
constituting a Division Bench are not available, this
Application can be heard by this Bench being a
Regular Bench. Under the orders of the Division
bench, the Investigating Officer was to remain
present in the Court. As he did not remain present,

this Court directed recovery of the sum of Rs.2,000/- from the salary of the concerned Investigating Officer. In Paragraphs 4 and 5 of the Application, it is stated that the Investigating Officer reached the Court on that date, but he was late by 10 minutes as he was held up in the heavy traffic. There is no reply filed to this Application by any of the parties to the Writ Petition.

2. Hence, in view of the averments made in the Application, the Application deserves to be allowed. Accordingly, the same is allowed in terms of prayer clause (a).

(A.A. SAYED, J)

(A.S.OKA, J)