

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 418 OF 2015
IN
CRIMINAL APPEAL NO. 394 OF 2002

Abhyudaya Co-operative	}	
Bank Ltd.	}	Applicant
versus		
State of Maharashtra	}	
and Ors.	}	Respondents

Mr. Sanjiv Punalekar with Mr. Madhur Rai and Mr. Balraj Kulkarni i/b. M/s. P.R.S. Legal for the applicant.

Mr. Amol Mhatre for respondent no. 2.

CORAM :- S. C. DHARMADHIKARI &
DR. SHALINI PHANSALKAR-JOSHI, JJ.

DATED :- JULY 28, 2016

P.C. :-

- 1) We have heard both sides.

- 2) We have perused the order passed by this court on 2nd March, 2015. It would be better if we do not observe anything with regard to the rival contentions, simply because if the appeal is withdrawn under some misrepresentation or mistaken plea of the counsel, then, the litigant should not suffer. If that is how we approach the matter, then, we recall the order passed by this court disposing of the appeal. That order is set aside. The appeal is restored to our file.

3) The criminal application is disposed of accordingly.

(DR. SHALINI PHANSALKAR-JOSHI, J.) (S.C.DHARMADHIKARI, J.)