

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2513 OF 2016

Mithun Rajiv Patil

Petitioner

versus

Sub-Divisional Police Officer, Palghar Division
and others

Respondents

Mr.B.G.Tangsali for Petitioner.

Mrs.M.M.Deshmukh, APP, for State.

CORAM : NARESH H. PATIL AND
PRAKASH D. NAIK, JJ.

DATE : 9th August 2016

PC :

1. Learned counsel for Petitioner submits that against the order of externment passed by Sub Divisional Magistrate, Palghar dated 3 March 2016, an appeal was preferred before the Divisional Commissioner, Konkan Division, Navi Mumbai along with stay petition in the month of June 2016. The said appeal is not heard. Petitioner's wife underwent a surgery of complete abortion. She was admitted in Nowrosjee Wadia Maternity Hospital. She is recently discharged from the hospital and is under medical supervision. Petitioner, therefore, states that at least stay application filed with appeal may be heard at the earliest by the appellate authority.

2. Learned APP now states, on instructions, that stay application will be heard tomorrow by the Divisional Commissioner, Konkan

Division, Navi Mumbai and appropriate orders will be passed thereon.

3. In view of the aforestated statement of learned APP, nothing survives for consideration in this petition. Writ Petition No.2513 of 2016 stands disposed of.

4. All concerned to act on an ordinary copy of this order duly authenticated by registry of this Court.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL, J.)

MST