

FARAD CONTINUATION SHEET No.IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3016 OF 2014

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Ashok Pandey for the Petitioner.
Smt.R.V.Newton, APP. for the State.

CORAM : A.S.GADKARI, J.
DATE : 3rd May, 2016

P.C.

By the present petition the petitioner has challenged the order dated 1.7.2014 passed by the Metropolitan Magistrate, 41st Court, Dadar, Mumbai in CC No.4100120/SW of 2011.The petitioner is having substantive alternate remedy by way of revision before the Sessions Court at his commend and without exhausting the said remedy the petitioner has preferred the present petition. In view of the parameters and guidelines laid down by the Supreme Court in the case of Shalini S. Shetty vs. Rajendra S. Patil reported in (2010) 8 SCC 329, the present petition is not maintainable. In view of the same, the learned counsel appearing for the petitioner seeks leave to withdraw the present petition with liberty to adopt appropriate remedy. Leave and liberty granted. Petition is disposed off as withdrawn.

2) The impugned order is dated 1.7.2014. The present petition is filed on 5.8.2014 and till date it was pending before this Court. In view of the same the concerned Court to take into consideration the period consumed by the petitioner for prosecuting the present petition as

contemplated under Section 14 of the Limitation Act. Petition is disposed off in the aforesaid terms.

3) Ad-interim relief granted by an order dated 30.1.2015 to continue for a period of six weeks from today.

(A.S. GADKARI, J.)