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

CRIMINAL APPLICATION NO.957 OF 2016

Mamata Ajay Mhatre and Anr.	...Applicants
Versus	
Sapana Ajay Mhatre and Anr.	...Respondents

Mr.D.G.Khamkar, for the Applicants.

Mr.Ajit M. Savagave, for the Respondent No.1.

Mr.S.R.Agarkar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 10th OCTOBER, 2016

P.C. :

1. Heard learned Counsel for the applicants and learned counsel for the respondent no.1.

2. Learned Counsel for the respondent no.1 has raised a preliminary objection. He submits that the applicants have directly

approached this Court, despite an alternate remedy being available to the applicants, of filing a Revision Application.

3. Learned Counsel for the applicants hence seeks leave to withdraw this application with liberty to file an appropriate application before the Sessions Court, challenging the order of issue process.

4. If an application as aforesaid is filed, alongwith a delay condonation application, the learned Judge shall consider the pendency of the present application in this Court. The Application, if filed, be decided as expeditiously as possible.

5. The applicants are exempted from appearing before the Court only on 14th October, 2016, so as to enable the applicants to file an appropriate application.

6. Accordingly, the application is disposed of as withdrawn with liberty as prayed.

7. It is made clear, that the application has not been considered on merits.
8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.