

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.7174 OF 2005

Vinod Dwarkadas Bulani

...Applicant

Versus

The State of Maharashtra & Anr.

...Respondents

.....

None for the Applicant.

Mr. Arfan Sait, APP for Respondent No.1-State.

Mr. Kedar Dighe, i/b. Mr. Vishal Khnavkar for Respondent
No.2.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 25th FEBRUARY, 2016.

P. C. :

None present for the Applicant. It is seen that even on the last date of the hearing neither the Applicant nor his counsel was present. Despite opportunity given, none present today.

2. The learned counsel for the Respondent No.2 has submitted that by consent order dated 30.11.2006 the seal of the shop No.10, Shagun Building was removed and the Applicant was put in possession of the shop on condition that he would not alienate or part with possession of the said shop or create third party right over the said shop and further on the condition that he would deposit Rs.20,000/- per month in UCO Bank/ the Original complainant. It was further

agreed that in default of two installments, the Bank would be at liberty to apply to the concerned authorities to reseal the premises. The learned counsel for Respondent No.2 has submitted that the Applicant has not paid a single installment since the date of the order.

3. Needless to state that in terms of the said order dated 30.11.2006 the Respondent No.2 is at liberty to apply to the concerned authorities for resealing the premises. Since the Applicant is not interested in contesting the application, the same is dismissed for non prosecution. Interim relief/orders stand vacated.

(ANUJA PRABHUDESSAI, J.)