

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APPW) NO.157 OF 2016

IN

CRIMINAL WRIT PETITION NO.379 OF 2016 (D).

(NANDESHWAR VITTHALRAO BHAGAT ..VS..STATE OF MAH. & 3 OTH..)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R.S.Kurekar, Advocate for Petitioner.
Shri V.A. Thakre, A.P.P. for Respondent Nos. 1 to 3.

CORAM : B.P.DHARMADHIKARI AND
KUM. INDIRA JAIN, JJ.

DATED : NOVEMBER 21, 2016.

Criminal Writ Petition No. 379 of 2016 seeking investigation/ proper orders into death of son of the petitioner came to be dismissed in default on 20th September, 2016.

Shri Kurekar, states that as the matter is pending before the appropriate authority i.e. Medical Board, the merits of the grievance cannot be gone into at this stage.

The learned A.P.P. is seeking time to verify the facts.

The reason for absence is supported by personal affidavit.

In this situation, as we do not see malafides, we recall the order dated 20th September, 2016 and restore Criminal Writ Petition No. 379 of 2016.

CRI.W.P.NO. 379/2016.

As the allegations about medical negligence are being gone into by the competent authority, with liberty to the petitioner to renew his grievance at appropriate juncture, if any occasion therefor arises, we dispose of the criminal writ petition.

JUDGEJUDGE*RRaut..*