

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

CRIMINAL WRIT PETITION NO. 618 OF 2014

(MOHANLAL RUCHANDMALJI PAHLAJANI...VS..MANOHARLAL REWACHAND HABLANI & 3 OTH.)

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : MARCH 10, 2016.

Heard Shri A.C.Dharmadhikari, learned advocate for the petitioner, Shri F.T.Mirza, learned advocate a/w Shri Sawal Alaspurkar, advocate for the respondent Nos. 1 to 3 and Shri N.B.Jawade, A.P.P. for the respondent No.4.

After hearing the learned advocates for the respective parties and considering the material on the record it was noticed that there are various litigations between the petitioner and the respondent Nos.1 to 3. Considering the nature of the dispute, at the time of hearing in the first session, the learned advocates representing the petitioner and the respondent Nos.1 to 3 were asked to persuade their respective clients and to explore the possibility of amicably working out the criminal matters and complaints. The matter was kept back.

In the afternoon session Shri F.T. Mirza, learned advocate appearing for the respondent Nos.1 to 3, on instructions, has submitted that the respondent Nos. 1 to 3 would be withdrawing the proceedings initiated against the petitioner for malicious prosecution and the petitioner, his wife and sons should also withdraw the criminal complaints lodged by them against the respondent Nos. 1 to 3.

Shri A.C. Dharmadhikari, learned advocate for the petitioner, after taking instructions from the son of the petitioner who is present in the Court, has submitted that the criminal complaints made by the petitioner, his wife and sons against the respondent Nos. 1 to 3 would be withdrawn.

The submissions made on behalf of the petitioner and the respondent Nos. 1 to 3 are accepted and the petition is disposed by following order :

- i) The statement made on behalf of the petitioner that he will withdraw all the criminal complaints/ proceedings lodged by him against the respondent Nos. 1 to 3 is accepted.
- ii) The statement made on behalf of the petitioner that the criminal proceedings/ complaints lodged by the wife and sons of the petitioner will also be withdrawn, is also accepted.
- iii) The statement made on behalf of the respondent Nos. 1 to 3 that the proceedings initiated by them against the petitioner for malicious prosecution will be withdrawn, is accepted.
- iv) The statement made on behalf of the respondent Nos. 1 to 3 that any other criminal proceedings/ complaints, if lodged by the respondent Nos. 1 to 3 against the petitioner, will be withdrawn, is accepted.

- v) The parties undertake to workout the modalities by filing appropriate application in Special Civil Suit No. 133 of 2013 filed by the respondent Nos. 1 to 3 against the petitioner.

The writ petition is disposed in view of the fact that the parties have assured to amicably workout the criminal disputes. In the circumstances, the parties to bear their own costs.

JUDGE

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