

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.8342 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. questioning the order dated 20.05.2016 in DVC.No.111 of 2012 of the Court of the IV Metropolitan Magistrate (Traffic Mobile Court), Hyderabad, whereby the right of the respondents therein (petitioner and respondents 3 to 6 herein) to advance their arguments is forfeited and the matter was reserved for orders.

2. Heard the learned counsel for petitioner and the learned Public Prosecutor, representing the State. Despite service of notice on the second respondent, there is no representation on her behalf.

3. A perusal of the docket shows that after recalling the evidence of R.W.1 on 18.05.2016, the matter was posted to 19.05.2016. On 19.05.2016, the matter was again posted to 20.05.2016 as a last chance. Since the respondents did not submit their arguments, the matter was reserved for orders.

4. Having regard to the nature of dispute and the submissions of the learned counsel for the petitioner, I am of the considered view that the respondents therein be given one more opportunity for submitting their arguments.

5. Hence, the impugned order dated 20.05.2016 is set aside and the IV Metropolitan Magistrate (Traffic Mobile Court), Hyderabad is directed to hear the arguments of the respondents and dispose of the DVC on merits. However, it is made clear that the respondents shall not seek further adjournment on any ground

for advancing their arguments on the date when DVC stands posted.

6. The Criminal Petition is accordingly disposed of. Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL, J

Date: 24.08.2016
TJMR