

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

909 CRIMINAL APPLICATION NO.280 OF 2017

GANGAMAI AGRO TRUST
VERSUS
RAMDAS S/O BHAGINATH JADHAV

...

Advocate for Applicant : Mr. PB Salunke, Adv.
h/for Mr. Kakde Sunil B
Mr. Francis Vicky J, Adv. for Respondent.

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CORAM : P.R.BORA, J.

DATE : 4th October, 2017.

PER COURT :

1) Heard learned Counsel for the applicant
and learned Counsel for respondent.

2) The learned Counsel though raised an
objection regarding maintainability of the
present application, in view of the concerned
legal provision as well as the judgment delivered
by this Court in the case of Om Gayatri and Co.
and Ors. Vs. the State of Maharashtra and Anr. -
2006 Cri.L.J. 601, the only remedy for the
applicant is to prefer an appeal before this
Court.

3) In view of the aforesaid provision, I am inclined to allow the present application. Hence, the following order, -

ORDER

- i) The Criminal Application for seeking leave to file an appeal is allowed.
- ii) The Appeal be registered in accordance with law.
- ii) On registration of the appeal, issue notice to the respondent. Learned counsel waives service for the Respondent. Service complete.
- iii) List the matter for further consideration after vacation.

(P.R.BORA,J.)

bdv/