

CRIMINAL APPLICATION NO. 2458 OF 2016

VERSUS

Ms Madhuri U. Kakade , advocate h/f
Lex Acqyuka, advocate for the applicant

CORAM : K.L.WADANE, J.
DATED : 5th JUNE, 2017

O R D E R :

Heard learned counsel for the applicant.

2. In spite of service of notice, the respondent remained absent. Present application is filed by the applicant to transfer Criminal Case No. 24 of 2013 pending before the Judicial Magistrate, First Class, Ghodnadi, Tq. Shirur, District Pune to the Court of learned Judicial Magistrate, First Class, Ahmednagar, on the ground that at the time of hearing of Criminal Misc. Application No. 38 of 2014 before the learned Principal District Judge, Ahemdagar both the

parties have agreed to transfer all the pending matters to the Court at Ahmendagar.

3. Learned counsel appearing for the applicant states that in spite of agreement between the parties to transfer all the matters, the respondent failed to take necessary steps to transfer Criminal Case No. 24 of 2013. Therefore, the applicant is constrained to file this application.

4. I have perused the order passed by the Principal District Judge, Ahmednagar in Criminal Miscellaneous Application No. 38 of 2014 dated 21.11.2014. From the contents of para 5 of the order, it reveals that both the advocates have agreed to bring the cases at one place and both have not opposed for transfer of cases at the Court at Ahmednagar.

5. In view of the observations in the order of the learned Principal District Judge, Ahmednagar, Criminal Case No. 24 of 2013 pending before the Judicial Magistrate, First Class, Ghodnadi, Tq. Shirur, District Pune shall stand

transferred to the Court of Chief Judicial Magistrate, Ahmednagar for disposal in accordance with law.

6. In view of above, Criminal Application No. 2458 of 2016 stands allowed and disposed of.

(K.L.WADANE, J.)

dbm/crap2458.16