

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

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

Court's or Judge's orders

CRIMINAL APPLICATION NO. 2277 OF 2017
IN
CRIMINAL APPLICATION NO.540/2016

SANJIVKUMAR BABURAO WADIKAR
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr.V.N. Bagdiya.
APP for Respondent/State: Mr.S.Y. Mahajan.

...
CORAM : V.L. ACHLIYA, J.
Dated: AUGUST 01, 2017

...
In view of the limited direction sought in the application seeking expeditious hearing of the case pending before the trial Court, the application is heard finally at the stage of admission.

2. In nutshell, it is contention of the learned Counsel for the applicant that he is facing prosecution for the offence punishable under Sections 7, 12, 13(1)(d) r/w 13(2) of the Prevention of Corruption Act and section 120(B) of the IPC, for alleged demand and acceptance of bribe of Rs.300/-. He submits that the offence was registered in the year, 2011. The trial is

pending before the Special Court, Dhule since the year, 2013. He submits that pendency of the trial is affecting his service career.

3. Learned APP appearing for the State objected the maintainability of the application and submits that direction as sought in the application is in the nature of issuance of writ to the trial Court for expeditious hearing. He further submits that such relief can be claimed only by way of filing writ petition.

4. In my view, the application can be conveniently disposed of by directing the applicant to move the trial Court seeking expeditious hearing of the case instead of directing the trial Court to expedite hearing.

5. The applicant is directed to make an application before the trial Court seeking expeditious hearing of the case. The trial Court is directed that in case such application is made, the same be considered on its own merits and in accordance with law.

Application stands disposed of in above terms.

(V.L. ACHLIYA, J)