

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**WRIT PETITION NO. 1460 OF 2002
WITH
WRIT PETITION NO. 1461 OF 2002**

Vijaya P. Yadav

... Petitioner

vs.

Shri. Bhavarlal N. Oza and anr.

... Respondents

Mr. Samarth Moray, Advocate for the petitioner.

Mr. Arvind Aswani i/by J. G. Reddy, Advocate for respondent no.1.

Mr. S. R. Agarkar, A.P.P. for the State/respondent no.2.

Coram : Smt. R. P. SondurBaldota, J.

Date : 9th February, 2017

P.C. :

Mr. Moray, the learned advocate for the petitioner states that in view of the decision of the Apex Court in ***Adalat Prasad vs. Rooplal Jindal and ors. reported in AIR 2004 Supreme Court Cases, page 4674***, the applications filed by the petitioner for recalling of the process will not be maintainable. For that reason, he seeks to withdraw the petitions with liberty to challenge the orders of issuance of process in the Sessions Court. The instructions in writing received by Mr. Moray from the petitioner for withdrawal of the petitions are taken on file. The petitions are allowed to be withdrawn with liberty as prayed. At his request the interim order dated 13th December, 2002 is extended for a period of four weeks from today.

[Smt. R. P. SondurBaldota, J.]