

pmw

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPLICATION NO.138 OF 2015  
WITH  
WRIT PETITION NO.4299 OF 2012**

|                               |                 |
|-------------------------------|-----------------|
| Mr. Nilesh Laxman Thakur      | ... Applicant   |
| Vs.                           |                 |
| State of Maharashtra and Anr. | ... Respondents |

None for the Applicant.  
Mr. K.V. Saste, APP for the Respondent No.1.

**CORAM : A.S. OKA &  
ANUJA PRABHUDESSAI, JJ.**

**DATE : 6<sup>th</sup> MARCH, 2017**

**P.C.**

1            This is an application for fixing an early date of hearing of the Writ Petition of the year 2012.

2            In several cases, we have found that the main matters are ready for final hearing but the same are shown as unready only on the ground that an application for fixing an early date of hearing made by the parties is pending. We direct the Registrar (Judicial – I) to issue a circular to all the concerned Departments. The circular to state that no matter shall be treated as unready only on the ground of pendency of the application for fixing an early date of hearing. If the matters are

otherwise ready, the same shall be added to the concerned weekly cause list along with the applications for seeking a fixed date/early date of hearing.

3           In the present case, the Writ Petition is not ready as the Writ Petitioner has not carried out amendment in terms of order dated 19<sup>th</sup> August, 2015 in Criminal Application No.68 of 2015. We grant time of two weeks from the date on which this order is uploaded to the petitioner in the writ petition to carry out amendment in terms of order dated 19<sup>th</sup> August, 2015.

4           If the amendment is not carried out within stipulated time, the Petition shall stand dismissed for non-prosecution without further reference to the Court.

5           If amendment is carried out within stipulated time, the Writ Petition shall be listed on appropriate final hearing cause list. Criminal Application No.138 of 2015 is disposed of accordingly.

**(ANUJA PRABHUDESSAI, J)**

**(A.S. OKA, J)**