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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.646 OF 2017 IN
APPEAL NO.1012 OF 2013**

Jaya Talakshi Chheda	... Applicant
Vs.	
The State of Maharashtra	... Respondent

**WITH
CRIMINAL APPLICATION NO.861 OF 2014 IN
APPEAL NO.913 OF 2013**

Suhas Mahadev Roge	... Applicant
Vs.	
The State of Maharashtra	... Respondent

Mr. Nitin Dalvi a/w Mr. V.V. Purwant i/by Mr. Rama D. Pawade for the Applicant.

Mr. J.P. Yagnik, APP for the Respondent - State.

**CORAM : A.S. OKA &
RIYAZ I. CHAGLA, JJ.**

DATE : 9th AUGUST, 2017

PC.

1 As per the administrative order dated 7th July, 2017 passed by the Hon'ble the Chief Justice these two applications have been assigned to this Bench.

2 We have perused the order passed by the Division Bench of this Court on 4th May, 2017 directing Civil Surgeon at Nashik to constitute a Medical Board for conducting medical examination of the applicant. As per the said direction, a Medical Board was constituted by the Civil surgeon consisting of three members. The first member is Civil Surgeon himself whose qualification is M.S in General Surgery. The second member was Dr. G.M. Holey, whose qualification is again M.S in General Surgery and the third member was Dr. Bharat Ahire who is a Physician having qualification as M.D. in Medicine. Considering the nature of the ailment complained of by the applicant, the Civil Surgeon ought to have included a physician possessing super-specialization in Cardiology. Moreover, the report is not specific. The report records that the applicant needs PTCA (Per Trans cutaneous Angiography) to LAD (Left Anterior descending) and D1 (Angioplasty) or CABG (Coronary Artery Bypass Graft), if symptoms persist. We direct the learned APP to take instructions whether any physician having super-specialization in Cardiology is attached to Civil Hospital or any Government Hospital at Nashik so that he can be included in the Medical Board.

3 To enable the learned applicant to take instructions. Place this application on Monday i.e. 14th August, 2017.

4 In Criminal Application No.861 of 2014, none appears for the applicant. Hence, we dismiss the application for non-prosecution.

(RIYAZ I. CHAGLA, J)

(A.S. OKA, J)