

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.230/2017

Deepak s/o sunderlal Murarka ..vs.. M/s. Harjimal Onkarmal thr. Partner
Mayur s/o Gopal Murarka and ors.

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

Court's or Judge's orders.

Mr. U. J. Deshpande, Advocate for petitioner.
Mr. M. G. Sarda, Advocate for respondent nos. 1 to 3.

CORAM : V.M. DESHPANDE, J.
DATED : JUNE 13, 2017

Heard learned counsel for the parties.

An application was moved before the learned Sessions Judge under Section 408 of Cr. P. C. for transfer of Criminal Appeal No. 121/2015, which is pending on the record of District Judge-2 and Additional Sessions Judge, Akola. The sum and substance of the application, which was moved before the Sessions Court is that the learned Judge has not granted sufficient time to argue the appeal. Another ground is that when the application for obtaining certified copy was moved, that application was not processed by the learned Judge.

The learned Sessions Judge in his detailed order has given thoughtful consideration and I concur with the reasoning given by the learned Sessions Judge for refusing to transfer the proceeding on such a flimsy ground. If such applications are moved, in my view, it will be nothing but showing disrespect to the learned Judge. Further, the record

and proceedings were already available before the Court. Therefore, moving of an application for certified copy clearly demonstrates that it is an attempt to prolong the matter on the part of the applicant.

In view of above, the writ petition is dismissed with cost of Rs.2,000/-.

JUDGE

kahale