

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRI. APPLICATION (APPW) NO.281/2017 IN CRIMINAL WRIT PETITION NO. 28/2016

(GOUSHALA PASHUPALAN BAHU-UDDESHIYA SANSTHA, NAGPUR **VERSUS** THE STATE OF
 MAHARASHTRA, THR. PSO PS YASHODHARA NAGAR, NAGPUR & ANOTHER)

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

Court's or Judge's orders

Mr. R.M. Daga, counsel for the petitioner.
 Mr. A.R. Chutke, A.P.P. for the R-1.
 Mr. Sk. Sabahat Ullah, counsel for the R-2.

CORAM : REVATI MOHITE DERE, J.

DATE : DECEMBER 19, 2017.

Heard learned counsel for the parties.

By this application, the applicant (respondent no.2 in the aforesaid writ petition) seeks modification/relaxation of Condition No.3(iii) in order dated 29.12.2015 passed by the learned Judicial Magistrate First Class, Court No.7, Nagpur.

The condition of which modification is sought, reads thus:-

“3(iii). Applicant shall submit monthly report relating to health status of cattle in question to this court through concerned police station, who shall verify, if necessary, before forwarding the same to this court.”

Learned counsel for the applicant submits that the said condition imposed by the learned Magistrate is harsh and entails huge costs. He, therefore, submitted that the said condition be modified to the extent, that the applicant be permitted to submit report relating to the health status of the cattle in question, once in three months instead of a monthly report.

For the reasons stated in the application, the application is allowed and Condition No.3(iii) imposed by the learned Magistrate *vide* order dated 29.12.2015 stands modified, inasmuch as, the applicant shall submit the health status report of cattle in question, to the learned Magistrate through the concerned police station, once in three months instead of a monthly report.

The application is allowed on the aforesaid terms and is accordingly disposed of.

All parties to act on an authenticated copy of this order.

JUDGE

APTE