

THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.1700 OF 2017

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. to quash the docket order, dated 28.07.2016, passed in Cr.MP.No.325 of 2016 in D.V.C.No.9 of 2016 on the file of learned Judicial Magistrate of First Class, Godavarikhani.

2. Though, the office raised objection that the order impugned is not a final order and as such, the present Criminal Petition is not maintainable, learned counsel for the petitioner, besides endorsing that against interlocutory order no appeal or revision lies in D.V.C. and only the present petition is maintainable, requested to post the matter before the Bench, if the Registry is not satisfied. That has been the reason, why the matter is posted under the caption 'for orders on office note'.

3. Irrespective of maintainability of the petition, in fact, the order impugned is an interim order passed in Cr.MP.No.325 of 2016 and there is every reason for the petitioner to challenge the said order by filing a counter. Though, the petitioner challenges the order impugned, directing to stop the employee benefits of the petitioner until further orders, on the ground that no reasons are assigned, but, however, mind application appears to be occurring, in view of the fact

that the learned Magistrate has recorded that he has perused the record.

4. The petitioner is, therefore, directed to approach the Court below and file counter, on which, the learned Judicial Magistrate of First Class, Godavarikhani, on whose file Cr.MP.No.325 of 2016 is pending, is directed to dispose of the same as expeditiously as possible, preferably within a period of one month from the date of filing of the counter by the petitioner herein. The petitioner is also directed to file his counter within one month from today.

5. Accordingly, the CrI.P.(Sr). is disposed of.

A. SHANKAR NARAYANA, J

February 22, 2017.

Note: Issue C.C. by tomorrow.
B/o.MD

