

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO.67 OF 2018
AND
CRIMINAL MISC. APPLICATION NO.32 OF 2018
IN
CRIMINAL WRIT PETITION NO.158 OF 2017

Nagaraj Rama Kale ... Applicant

Versus

State of Goa,
Through the Chief Secretary,
Govt. of Goa and Ors. ... Respondents.

Applicant in person.

Mr. S. R. Rivankar, Public Prosecutor for the State.

***Coram : N.M. Jamdar &
Prithviraj K. Chavan, JJ.***

Date : 3 April 2018.

P.C. :

Criminal Misc. Application No.32 of 2018 not on board.
Taken on board with the consent of the parties.

2. Heard the learned Public Prosecutor and the Applicant in

person.

3. Criminal Writ Petition No.158 of 2017 was disposed of by the Division Bench (*Bhadang & Chavan, JJ*) on 23 November 2017. The order records that the limited prayer made on behalf of the Petitioner was regarding the disposal of his application to the District Magistrate under Rule 4(5) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995. The Division Bench directed the Respondent No.2-District Magistrate to decide the application within a period of eight weeks. Since this was not done, a Criminal Misc. Application No.67 of 2018 has been filed by the Applicant in person. On 7 March 2018, time was taken by the learned Public Prosecutor to take instructions wherein certain *prima facie* observations were made by this Court. The learned Public Prosecutor places on record a notification dated 15 March 2018 and order passed by the Collector and District Magistrate dated 2 April 2018. By order dated 2 April 2018, the application of the Applicant in person has been rejected. It is open to the Applicant in person to challenge the said communication if the Applicant in person desires to do so and the challenge will be considered as per law. Therefore, the Criminal Misc. Application No.67 of 2018 does not survive and is disposed of.

4. As regards the Criminal Misc. Application No.32 of 2018 for recall/modification of the order dated 23 November 2017, the Applicant in person states that in that application, it is the contention of the Applicant that the other prayers were not given up by the Applicant. The order dated 23 November 2017 records that the limited prayer made on behalf of the Petitioner was for disposal of his application. In these circumstances, it is appropriate that the Criminal Misc. Application No.32 of 2018 be placed before the Bench with the same composition. The Applicant in person and registry to take necessary steps in that regard.

Prithviraj K. Chavan , J.

N.M. Jamdar, J.