

Vidya Amin.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION No. 5544 OF 2018

Surekha Suresh Gaikwad ... Petitioner
VS.
The State of Maharashtra ... Respondent

Mr. Nagesh Y. Chavan, Advocate for the petitioner.
Mr. A.R. Patil, APP for the respondent/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 14th December, 2018**

P.C. :

Rule. Rule made returnable forthwith. By consent, Writ
Petition is decided finally at the stage of admission.

2. Pursuant to the order dated 10th December, 2018, the learned APP points out the letter dated 13th October, 2018, which is already on record at page No. 49, and submitted that one Bhausahab Patil, CDM, Miraj Depot for Indian Oil Corporation Limited has written a letter to this petitioner that Indian Oil Corporation will follow the procedure and the material in Tata tanker can be disposed of at their premises after the guidelines as per the Quality Control Manual and in case the product fails, the product will be disposed of as per the procedure laid down.

3. In view of this submissions and the letter dated 13th October, 2018, the following order is passed:

- (i) The goods, i.e., 20000 litres diesel is to be returned to Indian Oil Corporation Ltd. at Chandanwadi, Miraj, District Sangli;
- (ii) Rule made absolute in terms of prayer clause (b) of the Petition;
- (iii) The order dated 3rd September, 2018 passed by the learned Additional Sessions Judge, Sangli stands modified in respect of disposal of diesel

4. Writ Petition is disposed of.

(MRIDULA BHATKAR, J.)