

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

CRIMINAL WRIT PETITION NO.1502 OF 2017

Umesh Pandarinath Kasle	 Petitioner
versus	
The State of Maharashtra	... Respondent

.....

- Mr.Sushil Upadhyay i/b. Ashok M. Saraogi, Advocate for Petitioner.
- Mrs.S.D. Shinde, APP for Respondent/State.

**CORAM : B. P. DHARMADHIKARI &
SARANG V. KOTWAL, JJ.**
DATE : 10th DECEMBER, 2018.

P.C. :

1. Heard respective Counsel.

2. Petitioner states that papers of an alleged offence of which cognizance appears to have been taken in case No.24/PW/2004, are missing and since 2013 there is no formal date fixed before trial Court. Prayer therefore is for enquiry of missing papers. Our attention is invited to Ex.A to urge that in response to Application seeking information under RTI Act submitted on 12/01/2017, the information could not be furnished.

3. Learned APP has invited our attention to the fact that as per her instructions notice for appearance has been issued to present Petitioner and matter is to come up before trial Court on 02/03/2019. She also states that supplementary charge-sheet appears to have been filed.
4. We accept the statement made by learned APP upon instructions.
5. Because of this development, without prejudice to rights and contention of Petitioner in the matter, we grant liberty to Petitioner to make an application in trial Court within two weeks. If such application is made, the learned Trial Court shall look into it on its own merits as per law.
6. We also direct Petitioner to appear before the trial Court on 02/03/2019.
7. Subject to this and keeping all contention open, we dispose of the present Petition.

(SARANG V. KOTWAL, J.)

(B. P. DHARMADHIKARI, J.)