

NSC.

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

***CRIMINAL APPLICATION NO.335 OF 2017
IN
WRIT PETITION NO.2566 OF 2012***

***WITH
CRIMINAL APPLICATION NO.336 OF 2017
IN
WRIT PETITION NO.1249 OF 2013***

M/s.P. P. Oil Pvt. Ltd.

A Company incorporated under the provisions of
Companies Act having its office situated at
89/6, Agra Road, Behind Guru Saheb Darbar,
Near Aastha Hospital, Borivali (W),
Mumbai – 400 082 through its Director
Mr.Javerchand N. Shah

...Applicant/Petitioner

Versus

1. The State of Maharashtra, to be served
Through Government Pleader, High Court,
Mumbai.
2. The Controller of Rationing & Director
Civil Supplies (Mumbai) having its office
Situated at 5th Floor, Royal Insurance Building,
14 J. Tata Marg, Churchgate,
Mumbai – 400 020.
3. The Dy. Controller of Rationing, F-Region,
Thane having office situated at Veer Savarkar
Marg, Aaram Baug Estate, Thane.

4. The Rationing Officer (Incharge) Thane having office situated at Veer Savarkar Marg, Aaram Baug Estate, Thane.
5. The Union of India, through Ministry of Consumer Affairs and Civil Supplies, to be Served through Government Pleader (Union of India), High Court, Bombay. ...Respondents

Mr.A.M.Saraogi, for the Applicant/Petitioner.

Mrs.P.P.Shinde, A.P.P for the Respondent-State.

***CORAM : R. M. SAVANT &
REVATI MOHITE DERE, JJ.***

DATE : 8th AUGUST, 2018

P.C. :

1. A condition was imposed on the Applicant – Original Petitioner to furnish a Bank Guarantee for the amount in question. It was also observed in the order dated 6th February, 2014 passed in Criminal Application No.58 of 2014 and Criminal Application No. 59 of 2014 filed by the Applicant abovenamed that the steps for taking fresh Bank Guarantee be taken much in advance so as to avoid further complications.

2. The instant Criminal Applications have been filed seeking the relief that the Bank Guarantee which has been furnished by the Applicant in each of the above Criminal Applications of the Punjab National Bank be returned to the Applicant and the Applicant be permitted to file a fresh Bank Guarantee.

3. We are of the view that instead of permitting the Applicant to furnish a fresh Bank Guarantee by return of the original Bank Guarantee, it would be appropriate if the Applicant renews the original Bank Guarantee which has been furnished by him for a further period of one year and thereafter be renewed from time to time till the pendency of the above Writ Petitions. The same to be done within two weeks from date.

4. The above Criminal Applications are accordingly disposed of. To be listed for 'For Compliance' on 23rd August, 2018.

(REVATI MOHITE DERE, J.)

(R. M. SAVANT, J.)