IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APL) 75 OF 2018

(Gangaram Somaji Patel & ors ...vs....State, thr DGP & PP Buldhana & ors)

Office Notes, Office Memoramda of Coram, appearances, Court's orders of directions and Registrar's Orders. | *Court's or Judge's orders.*

Shri A.S. Kilor, counsel for applicants.

CORAM: ROHIT B. DEO, J.
DATE: 20th July, 2018.

Heard.

2 Although, the learned counsel for the applicants is seeking leave to withdraw the Criminal Application, since considering the nature of the dispute, the same may not be within the domain of the Sub-Divisional Magistrate exercising powers under section 145 of the Code of Criminal Procedure, the facts on record reveal a disturbing state of affairs. Prima facie, the auction purchasers who has purchased the property in auction sale are deprived of the fruits of the purchase.

3 The learned counsel submits that in view of the nature of the dispute, the applicants shall institute a civil suit to ventilate their grievance and to *inter-alia* seek possession of the property.

4 If such a civil suit is instituted within two weeks, the learned civil Court is directed to decide the same with utmost priority and in any event within six months from the institution thereof.

5 With these observations and directions, the application is disposed of as withdrawn.

JUDGE

RSB