

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

Criminal Application [APPLN] No.46 of 2018

Nilesh s/o Mangalchand Bothra (Jain)

vs.

Shilpa Motors

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*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

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Court's or Judge's Orders

Shri Mahesh Rai, Advocate for the Petitioner.

Shri J.B. Kasat, Advocate for the Respondent.

CORAM : S.B. SHUKRE, J.

DATE : 27th AUGUST, 2018.

Heard.

A ground for transfer is that this applicant is suffering from Acute Asthma. There is a copy of certificate, dated 07/06/2018 forming part of the paper-book of this application.

I have perused this application. It records a certificate to the effect that Mr. Nilesh M. Jain is suffering from Acute Severe Asthma, that he is under treatment of the certified Doctor since last one month and that he requires regular treatment and follow up. The certificate nowhere states that this applicant cannot undertake travel anywhere in the District of Nashik or in the State of Maharashtra or India. Even for swearing affidavit in support of this application, the applicant appears to have come to Nagpur. This is

seen from the solemn affirmation made by the applicant at Page 8.

Therefore, I see no merit in this application. The application stands dismissed with costs of Rs.1,000/- (Rupees One Thousand Only) to be paid to the non-applicant on or before the next date already fixed in the matter before the trial Court, failing which, the bail bonds furnished by the applicant shall stand cancelled and he shall be taken into custody by the trial Court.

JUDGE

**sandesh*