

WIN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR

Criminal Application [APPW] No. 220 of 2018

IN

Criminal Writ Petition No. 289 of 2016

[Mrs. Vidya Sanjay Joshi Vs. The State of Mah., Samudrapur Police Station, Samudrapur, Distt. Wardha & others]

AND

Criminal Application [APPW] No. 221 of 2018

IN

Criminal Writ Petition No. 290 of 2016

[Sanjay Laxmikant Joshi Vs. State of Mah., Sonegaon PS, Sonegaon, Nagpur & others]

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

Court's or Judge's orders

None for the applicants.
Mr. N. Patil, APP for Respondent-State.

**CORAM : B. P. DHARMADHIKARI
AND
S. M. MODAK, JJ.**

DATE : 1st November, 2018

These matters were called out in first half and passed over, as applicants were absent. In the second half, again they are absent.

Learned Addl. Public Prosecutor - Shri Neeraj Patil submits that he has read the challenge as raised before the lower Court and finds the present proceedings without any merit. The Civil Suit filed by the husband of the applicant is already dismissed and no steps to get it restored are taken. He also wants to invite attention of

this Court to certain other facts. However, we do not find it necessary, at this juncture, to narrate them here.

The Order passed by this Court on 24th October, 2018 speaks for itself.

Both these applicants [couple] appeared before this Court yesterday, i.e., on 31st October, 2018 at 2.30 p.m., and made a grievance about police and also about some threats. The Court then explained to them that they have to draft a proper petition and then file it. Court also pointed out to them that if they need legal advice, they will have to approach an Advocate or then the State Legal Aid Assistance Centre.

Even on 24th October, 2018, after orders were dictated, the couple came in the Court Hall and found out what has happened to their matter.

In this situation, we find that the Registry of this Court must first verify competency of both the applicants to file the proceedings and to assist the Court in the matter. This exercise needs to be undertaken as per Rules and after the Registry certifies that they are so competent, they shall be permitted to file any application or proceedings in High Court.

If without obtaining such certification, they enter any office/section of Registry or then threaten the staff

working there, the Court shall be constrained to pass suitable orders against them.

As the present applications for amendment are moved in dismissed proceedings and there is no prayer for restoration, we dismiss both the Criminal Application [APPW] Nos. 220 and 221 both of 2018.

Judge

Judge

|hedau|