

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 111 OF 2019

VIPUL VISHNUBHAI AMIN., ... Petitioner

Versus

HASMITA SHARAD PATEL AND ANR., ... Respondents

Mr. Cleofato Almeida Coutinho, Advocate for the Petitioner.

Mr. Ashwin D. Bhobe, Advocate for Respondent No.1.

Coram:- PRITHVIRAJ K. CHAVAN, J.

Date:- 25th July, 2019

P.C.:

On 06.06.2019, the following order was passed:-

" By an order dated 18.4.2019 limited ad-interim relief was granted to the petitioner to the extent that no coercive steps to be taken against him pursuant to the issuance of non bailable warrant by Magistrate's Court.

2. Learned Counsel for the petitioner, on instructions, submits that petitioner is abroad.

3. In such circumstances, ad-interim relief granting limited protection stands vacated. Petitioner shall deposit entire amount of interim maintenance granted by the lower Appellate Court in the registry within two weeks.

4. Stand over to 27.6.2019."

2. On 27.06.2019, the following order was passed:-

"The learned Counsel for the petitioner states that the petitioner has been communicated with the order passed by this Court on 06.06.2019 but the money has not reached.

2. The learned Counsel seeks further two weeks time to make the petitioner's stand clear as to whether he is willing to comply with the order or otherwise.

3. Stand over to 11.07.2019."

3. On 11.07.2019, the following order was passed:-

"The ad-interim relief granted by this Court came to be vacated on 06.06.2019. On instruction, it is stated that the petitioner has not communicated with his counsel.

2. On 27.06.2019 it was informed to the Court by the learned Counsel for the Petitioner that the order of vacating ad-interim relief has already been communicated to the petitioner, however, there was no reply till date.

3. The learned Counsel for the petitioner, therefore, sought two weeks time to make the petitioner's stand clear as to whether he is willing to comply with the orders. However, no amount has been deposited by the petitioner, so far.

4. Today, the learned Counsel for the petitioner again seeks extension of time by two weeks to take instructions from the petitioner. The conduct of the petitioner is writ large.

5. By way of last chance, two weeks time is granted to comply with the directions issued by the Court, failing which, the petition would stand dismissed.

6. Stand over to 25.07.2019."

4. The learned Counsel appearing for the petitioner submits that he may be heard on the point of jurisdiction of the lower Court in view of the fact that the petitioner is a Kenyan National and the respondent is a citizen of United Kingdom.

5. Mr. Bhobe, learned Counsel for the respondent strongly objects in view of the order passed by this Court on 11.07.2019.

6. On being asked, the learned Counsel for the petitioner

exhibited inability even to partly comply with the order of the lower court and therefore, there is no question of further adjourning the matter on any of the grounds.

7. The petition stands dismissed.

PRITHVIRAJ K. CHAVAN, J.

MF/-