

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 642 OF 2017

Shri Kisan Ramu Kakade and Ors. ... Petitioners

Versus

State of Maharashtra and Ors. ... Respondents

Mr. A.V. Anturkar, Sr. counsel a/w Mr. Sandeep Phatak for the
Petitioners.

Adv Jaymala a/w Adv Komal Gosavi, i/by JJ Associates for R. No.
3.

Mr. A.D. Kamkhedkar, APP for the respondent State.

**CORAM : B.P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.**

DATE : JANUARY 03, 2019

P.C.:

Heard learned counsel for the petitioners, Adv Jaimala for
respondent no. 3 and learned APP for respondent nos. 1 and 2.

2. Effort of the learned senior counsel is to demonstrate that the
purchasers from the petitioners have not made any grievance and
one of the co-parceners has tried to demonstrate that petitioner
nos. 1 to 12 have sold the land not in existence to petitioner no.
13.

3. Counsel for the respondent nos. 3 submits that the respondent nos. 1 and 2 have already submitted “A” summary to trial court and respondent no. 3 has filed protest note.

4. In these circumstances, we are not inclined to dwell more upon the controversy. We keep all the contentions open and with a liberty to the petitioners to approach again if any cause of action arise, we dispose of the present petition. We also hope that since the matter is old, the trial court may consider the protest note at the earliest.

(REVATI MOHITE DERE, J.) (B.P. DHARMADHIKARI, J.)