

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION No. 171 OF 2019

M/s. Quality Developers & Anr.

...Applicants

Versus

Vijay Arjun Kamble & Ors.

...Respondents

Mr.Vivek B.Pandey for the Applicants.
Mr. A.R.Patil, APP for Respondent No.3-State.

**CORAM : MRS. MRIDULA BHATKAR, J.
DATE : 12 FEBRUARY 2019**

P.C.:

1. Upon urgent mentioning, taken on production board.
2. By this Application, the applicants pray that the order dated 2nd February, 2019 passed by the District Consumer Redressal Forum, Alibaug in Execution Application No. 65 of 2017 in C.C. No. 340 of 2015 be set aside so also the order of issuance of the non-bailable warrant dated 4th January, 2019 passed by the District Consumer Redressal Forum, Alibaug in Execution Application No. 65 of 2017 in C.C. No. 340 of 2015 be quashed and set aside.

3. The learned counsel for the applicants submits that the non-bailable warrant is issued against applicant No.2 and the police are arresting his son, as he is not available.

4. Perused orders dated 2nd February, 2019 and 4th January, 2019. Considering the prayers asked for, there is no need to issue notice to the other side, but the matter is remanded back to the concerned Court with following directions:

The order of issuance of the non-bailable warrant is stayed till 28th February, 2019. In between, applicant No.2 is directed to appear before the District Consumer Redressal Forum, Alibaug on 20th February, 2019 at 11.00 a.m. and comply with the order dated 2nd February, 2019, as the matter is fixed on 27th February, 2019. The learned Judge of the District Consumer Redressal Forum, Alibaug may consider the application for settlement, if the dues are satisfied by applicant No.2 and the complainant accepts the same.

5. With this, Criminal Application is disposed of.

(MRIDULA BHATKAR, J.)