

Dond

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

CRIMINAL WRIT PETITIOIN NO.1295 OF 2019

Harish Virumal Milani

..Petitioner

Vs

The State of Maharashtra

..Respondents

**WITH
CRIMINAL APPLICATION NO. 209 OF 2019
IN
WRIT PETITIOIN NO.1295 OF 2019**

Union of India through Defense Officer & Ors.

..Applicants.

Vs.

The State of Maharashtra.

..Respondents

Mr. Nilesh C. Ojha a/w Ms. Mansi Jain for the Petitioner.

Mr. R.M. Pethe, APP for the State.

Dr. U.R. Sharma a/w D.P. Singh for Intervener.

CORAM : A.S.GADKARI, J.

DATE : 10th July 2019.

P.C.:

1] By the present petition, the petitioner has prayed that, the learned Civil Judge, Senior Division, Pune, seized of Misc. Application No.946 of 2012 in Regular Civil Suit No.881 of 2011 be directed to decide the said application within stipulated period.

2] The learned counsel for the petitioner submitted that, the hearing of the said application is concluded on 19.1.2019 and the same is closed for passing orders, however, the learned Judge has not yet passed Orders in that behalf.

3] The learned Counsel for the Intervener vehemently opposed the application and submitted that, the wordings of the prayer clause in the petition denotes that, the petitioner is seeking directions to the concerned Civil Judge to decide the application in his favour only.

4] It appears that, the prayer clause herein is not happily worded. After perusing the prayer in the application, it can be deciphered that, the petitioner has sought the relief as has been mentioned in para No.1 above.

It is needless to mention that, the Judicial Officers from lower judiciary are equally burdened with the pressure of work.

5] May that as it may, in view of the grievance made by the petitioner, the learned Civil Judge, Senior Division, Pune seized of Misc. Application No.946 of 2012 in Regular Civil Suit No.881 of 2011 is hereby requested to decide the said application and pass appropriate Orders thereon as per the provisions of law, within a period of three months from the date of receipt of this Order.

6] Writ Petition is disposed off in the aforesaid terms. In view of Order passed in Writ Petition No.1295 of 2019, Criminal Application No.209 of 2019 for intervention does not survive and the same is accordingly disposed off.

(A.S.GADKARI, J.)