

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.795 OF 2019**

Mahasidha Savala Karade] Applicant

Vs.

L & T Finance Limited and others.] Respondents

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Mr. A. L. Bhise, for the Applicant.

Mr. A.R. Patil, A.P.P for the Respondent No.2 - State.

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**CORAM : REVATI MOHITE DERE, J.
DATE : 2nd DECEMBER, 2019.**

P.C. :

Heard learned Counsel for the applicant and learned
A.P.P, for the respondent No.2-State.

2. By this application under section 482 of the Criminal Procedure Code, 1973 (for short 'Cr. P.C.'), the applicant has impugned the order dated 25th June, 2019 passed by the learned Metropolitan Magistrate 33rd Court, Ballard Pier, Mumbai, inasmuch as, it directs the Advocate for the applicant to sign plea, on behalf of the applicant.

3. Perused the papers. On 4th July, 2019, this Court issued notice to the respondents. In addition, private notice was also permitted. An affidavit of service to that effect is filed in the Registry of this Court. It appears that the applicant's Advocate had

filed an application seeking exemption from appearance of the applicant on 25th June, 2019. The learned Magistrate allowed the application subject to the applicant's Advocate signing on the plea. It appears that the applicant's Advocate has refused to sign on the plea . It further appears that the Advocate of the applicant filed an application and sought recall of the said direction. However, the said application was rejected by the learned Magistrate vide order dated 25th June, 2019. Both the said orders have been challenged by the applicant in this application. It appears that this Court granted stay to the impugned order dated 25th June, 2019 on 4th July, 2019. Subsequent thereto, i.e on 24th September, 2019, the learned Magistrate recorded plea of the applicant.

4. Considering the aforesaid, the impugned order passed by the learned Magistrate on 25th June, 2019 i.e directing the applicant's Advocate to sign on the plea is quashed and set aside.

5. The application is disposed of in the aforesaid terms.

6. All parties to act upon the authenticated copy of this order.

[REVATI MOHITE DERE, J.]