

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

WRIT PETITION NO. 3483 OF 2019

Mr.Karan R. Mundhra & Ors.

...Petitioners

Versus

Asian Brush Co. & Anr.

...Respondents

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Mr.Yashpal M. Thakur for the Petitioners.

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

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CORAM : S. S. SHINDE, J.

DATE : 09 JULY 2019

P. C. :

1. At the outset, learned Counsel appearing for the petitioners, on instructions, submits that the petitioners will appear before the Court of learned Metropolitan Magistrate, 48th Court, Andheri, Mumbai on 23.07.2019 since the learned Magistrate has fixed the matter for recording of statement under Section 313 of the Code of Criminal Procedure.

2. In the light of aforesaid statement, this Court is inclined to consider the prayers in the petition. Hence, issue notice to the respondents for final disposal, returnable on 16.07.2019.

3. Learned APP waives service of notice on behalf of respondent No.2/State.

4. In addition to service of notice through Court, the petitioners shall serve a private notice by Registered Post A.D. and/or by Courier service and/or by hand delivery on respondent No. 1 and shall file affidavit of service with tangible proof of such service on or before 15.07.2019.

5. Till the returnable date, there shall be an ad-interim relief in terms of prayer clause (c).

6. The learned Counsel for the petitioners to remove office objections, if any, on or before the next date. If the office objections are not removed, the Petition shall stand dismissed without further reference to the Court.

(S. S. SHINDE, J.)