

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

CRIMINAL WRIT PETITION NO. 3689 OF 2019

Shilpa Jain Proprietor M/s. SSKY
Technologies

...Petitioner

Versus

Neoteric Informatique Ltd. & Anr.

...Respondents

Mr. Ashok Kumar Dubey for Petitioner.
Mr. N.B. Patil, APP for Respondent – State.

CORAM : S.S. SHINDE, J.

DATE : 18th SEPTEMBER 2019

PER COURT:

1. Heard learned counsel appearing for the Petitioner. Learned counsel appearing for the Petitioner submits that, the Advocate who was supposed to conduct the case before the Metropolitan Magistrate was busy in the High Court and a request was made by the colleague Advocate who was present in the Court for keeping the matter back at 3.00 PM. However, learned magistrate without appreciating the prayer of the associate of the Advocate who was supposed to conduct the case, rejected the application and also the prayer for exemption of the Petitioner, and adjourned the matter by imposing cost of Rs. 20,000/- (in words Rupees Twenty Thousand only) to be paid to the complainant by the Petitioner. According to the learned counsel for the Petitioner imposition of cost of Rs. 20,000/- is not

only exorbitant but in the facts of the present case absolutely unwarranted.

2. Upon appreciating contentions raised by the learned counsel for the Petitioner and reasons stated in the impugned order and in particular prayer for the exemption of the accused, so also, for keeping the matter back, it appears that, the concerned Court thought it fit to compensate the complainant by directing the Petitioner to pay cost of Rs. 20,000/-. As a matter of fact the matter is adjourned to facilitated the Advocate for the Petitioner to appear and argue the matter. There is no reason to interfere in the impugned order by invoking the writ jurisdiction. No case is made out. Hence, Writ Petition stands rejected.

[S.S. SHINDE, J.]