

CRIMINAL APPELLATE JURISDICTION

Rajendra Chalbihari Agarwal	]	Applicant
Vs.		
Mayank Vinay Agarwal and another.	]	Respondents
.....		
Ms. Priyal G. Sarda, for the Applicant.		

Ms. P.P. Shinde, A.P.P for the Respondent - State.

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CORAM : REVATI MOHITE DERE, J.

DATE : 13TH NOVEMBER, 2019.

P.C. :

Heard learned Counsel for the parties.

2. At the outset, learned Counsel for the applicant, does not press substantive prayer clause (a). He, however, presses prayer clause (e) which reads thus;

e) The direction may be given to Ld. 56th Addl. S.J. Mumbai to hear and decide the Cri. Appeal No.446/2017 as expeditiously as possible, preferably within a period of 1 month”.

3. Vide a order dated 21st August, 2019 passed by this Court, a report was called for by the learned Additional Sessions Judge 56 Court, Mumbai about the status of the applicant's appeal.

Pursuant thereto, the learned Additional Sessions Judge has submitted his report dated 29th August, 2019. It appears that the appeal could not be heard as the Advocate for the applicant had sought time before the learned Sessions Judge. Learned Counsel for the applicant today submits that the applicant will proceed with his criminal appeal before the learned Sessions Judge on the dates given by the learned Additional Sessions Judge and that they will co-operate in the conduct of the said appeal.

4. It appears that the appeal has been filed by the applicant in February, 2017 for return of the crane on certain terms and conditions.

5. Considering the aforesaid and the statement made by the learned Counsel for the applicant, the application is allowed and the learned Additional Sessions Judge 56 Court, Mumbai to decide Criminal Appeal No.446 of 2017 filed by the applicant as expeditiously as possible and in any case within two months from the receipt of this order. The parties to co-operate in the conduct and hearing of the appeal.

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

[REVATI MOHITE DERE, J.]