

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

WRIT PETITION NO. 4453 OF 2019

Gopal Bhagwandas Bhatia & Anr. ...Petitioners

Versus

State of Maharashtra & Anr. ...Respondents

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Ms.Swapna P.Kode for the Petitioners.
Mrs.Rutuja Ambekar, APP for Respondent No.1-State.

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CORAM : S. S. SHINDE, J
DATE : 26 September 2019

P.C.

1. The learned Counsel appearing for the petitioners submits that the petitioners have received summons in R.C.C. No. 701 of 2017 pending on the file of C.J.J.D & J.M.F.C, Kalyan. She further submits that a copy of the summons, which was received by the petitioners, were signed by them and given back to the concerned bailiff. She further submits that the petitioners will obtain the copy of the said summons so as to enable them to place on record within a period of three weeks from today. She, on instructions, further submits that the petitioners are ready to settle the dispute, which is arising out of the partnership firm.

2. Issue notice to the respondents, returnable on 16.10.2019.

3. 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 the respondents and shall file affidavit of service with tangible proof before the returnable date, failing which the petition shall stand dismissed without further reference to the Court.

4. Learned APP waives service of notice on behalf of the respondent-State.

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

6. The office objections, if any, to be removed before the returnable date, failing which the petition shall stand dismissed without further reference to the Court.

7 In so far as office objection regarding English Translation is concerned, the learned counsel for the petitioners to give an undertaking that as and when the English Translation is required by the Court, the same will be furnished by her.

[S. S. SHINDE , J.]