

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

**CRIMINAL APPLICATION NO. 1257 OF 2018
WITH
CRIMINAL APPLICATION NO. 1258 OF 2018**

M/s.Cherry Fashions Ltd.& Ors.

...Applicants

Versus

M/s.Clique Finvest Pvt. Ltd. & Anr.

...Respondents

.....

Mr.S.I.Kantharia for the Applicants.

Mr.Balwant Parmar i/b. Divya Parmar for Respondent No.1.

Mrs.Rutuja Ambekar, APP for Respondent No.2-State.

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CORAM : S.S.SHINDE J.

DATE : 14 JUNE, 2019

P.C.:

1. There is consensus between learned Counsel appearing for the applicants and learned Counsel appearing for respondent No.1. Instead of entering upon the contentions raised on merits in the applications, the learned Metropolitan Magistrate, 43rd Court, Borivali, Mumbai may be directed to adhere to the directions issued by this Court and put an end to the proceedings as early as possible, however, within a period of two months from today.

2. In the light of the submissions made across bar by learned Counsel appearing for the parties and keeping in view the directions already issued by this Court directing the lower Courts to decide the pending proceedings and if necessary, by conducting the trial on day-to-day basis.

3. In view of above, the learned Metropolitan Magistrate, 43rd Court, Borivali, Mumbai is directed to expedite the pending proceedings i.e., C.C. No.1754/SS/2016 and C.C. No. 1753/SS/2016 respectively and take the final decision as expeditiously as possible, however, within a period of two months from today.

4. Needless to observe that the learned Magistrate shall not entertain the prayer for adjournment unless there is concrete reason for such adjournment. The parties to the proceedings shall not file unnecessary application which would protract the proceedings and shall extend full cooperation in deciding the aforesaid proceedings by the concerned Court.

5. With the above observations, both the Applications stand disposed of.
6. Parties to act upon an authenticated copy of this order.

(S.S.SHINDE, J.)