

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO. 370/2017

Dasraj P. Paunikar

..VS..

State & anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri K.N. Shukul, Advocate for the applicant
Shri S.S. Doifode, APP for the non-applicant no. 1
Shri P.P. Kotwal, Advocate for the non-applicant no. 2

CORAM : Z.A.HAQ & VINAY JOSHI, JJ.
DATED : 15/04/2019

Heard.

It is undisputed that S.C.S No. 1059/2008
between the applicant and the non-applicant no. 2, in respect
of the same property, is pending.

After hearing the learned advocates for the
respective parties and the learned APP, prima facie, we find
that the points which are required to be considered in this
application under Section 482 of the Code of Criminal
Procedure will also have to be considered by the Civil Court in
the civil suit.

Hence, the following order:-

RULE.

Shri S.S. Doifode, APP waives notice for the non-applicant no. 1 and Shri P.P. Kotwal, Advocate waives notice for the non-applicant no. 2.

Interim order granted by this Court on 14/06/2017 shall continue until further orders.

The learned Civil Judge is directed to decide S.C.S. No. 1059/2008 till 30/11/2019.

The parties are granted liberty to circulate this criminal application after decision of the civil suit.

The learned advocate for the applicant insisted for grant of interim order in terms of prayer clause (A-ii).

The learned advocate for the non-applicant no. 2 opposed it.

Considering the nature of controversy, the applicant is granted liberty to press this request for interim order at appropriate stage, if occasions arises.

CRIMINAL APPLICATION (APPP) NO. 269/2018

The learned advocate for the non-applicant no. 2 states that he is not pressing this criminal application.

The criminal application is **disposed** as not pressed.

JUDGE

JUDGE