

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.899/2018

LTC Commercial Co. Pvt. Ltd. thr. Rajesh Saraswa s/o Champalal
Saraswa .vs. Collector, Wardha, Dist. Wardha and ors.

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

Court's or Judge's orders.

Mr. J. S. Chilotra, Advocate for petitioner.
Mr. N. S. Rao, A.P.P. for respondent no.1.
Mr. R. O. Chhabra, Advocate for respondent no.3.
Mr. S. B. Tiwari, Advocate holding for
Mrs. S. Sahastrabuddhe, Advocate for respondent no.4.

CORAM : V.M. DESHPANDE, J.

DATED : JANUARY 29, 2019

Heard Mr. Chilotra, Advocate for petitioner,
Mr. Rao, A.P.P. for respondent no.1, Mr. Chhabra,
Advocate for respondent no.3 and Mr. Tiwari, Advocate
Advocate for respondent no.4.

The present petitioner-LTC Commercial Co.
Pvt. Ltd. and respondent no.2-M/s. Yogesh Enterprises
were the partners. A warehouse was belonging to
respondent no.2, is the statement of the petitioner.
Agriculturists used to stock their goods in the said
warehouse and institutions like PNB, IDBI Bank used to
give various amounts of loans on the basis of said stocks.
However, it was found that the stock is missing.

Mr. Chhabra submitted that in the
proceedings filed before Debts Recovery Tribunal against
M/s. Yogesh Enterprises, present petitioner LTC

Commercial Co. Pvt. Ltd. is having collusive interest with M/s. Yogesh Enterprises and challenge in this writ petition is withdrawal of the appeal filed by M/s. Yogesh Enterprises.

In that view of the matter, petitioner-LTC Commercial Co. Pvt. Ltd. must show its bona fides before this Court. Hence, the petitioner is directed to deposit Rs.10,00,000/- before this Court within a period of two weeks from today, failing which the writ petition shall stand dismissed automatically, without back reference to the Court.

JUDGE

kahale