

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

CRI. APPLICATION (APPP) NO.2099 OF 2018

WITH

CRI. APPLICATION (APPP) NO.2100 OF 2018

WITH

CRI. APPLICATION (APL) NO.623 OF 2018

(SMT. KISNABAI VITHOBA CHAMBATKAR & OTH...VS.. SAU.MADHURI SHANKAR CHAMBATKAR & OTH)

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

Court's or Judge's orders

Shri D.U.Thakare, Advocate for Applicants.
Ms Shamsi Haider, A.P.P. for Non-applicant No.3/State.

CORAM : Z.A.HAQ, J.

DATED : FEBRUARY 08, 2019.

CRI.APPLN.NO. 2099/2018 & 2100/2018.

The applicants have deposited Rs.Twenty Five Thousand with the Registry of this Court on 7th February 2019. An affidavit sworn by the applicant No.1-Smt. Kisnabai is placed on record vide Stamp No.766 of 2019. It is stated that after death of Shri Vithoba Chambatkar (husband of applicant No.1- Smt.Kisnabai), Shankar son of Vithoba Chambatkar (husband of the non-applicant No.1-Madhuri) has inherited 1/6th share in the property of Shri Vithoba. It is stated that the applicants are willing to handover 1/6th share in the agricultural land to the non-applicant Nos. 1 and 2.

Criminal Application (APL) No. 623 of 2018 was dismissed for non-compliance of the earlier orders passed by this Court. Now, the applicants have substantially complied with the earlier orders.

Considering the facts of the case, delay of 10 days, caused in filing Miscellaneous Criminal Application for restoration of Criminal Application No.623 of 2018, is condoned. The order passed by this Court on 17th September 2018 is recalled. Criminal Application No. 623 of 2018 is restored.

Criminal Application No. 2099 of 2018 and Misc. Criminal Application No.2100 of 2018 are **allowed** accordingly.

CRI.APPLN.(APL) NO.623/2018.

Issue notice to the Non-applicants, returnable on **15th March 2019.**

Ms Shamsi Haider, A.P.P. waives notice for the non-applicant No.3/State.

JUDGE

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