

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPEAL NO. 261 OF 1998**

Balkrishna Bhivajirao Desai

... Appellant

V/s.

The State of Maharashtra

... Respondent

Mr. Prosper D'souza, Appointed Legal Aid Counsel for Appellant.

Mr. S.S. Hulke, A.P.P. for Respondent-State.

CORAM : A.S. GADKARI, J.**DATE : 7th October 2020.****PC. :**

Heard Mr.D'souza, learned Advocate appointed by the Legal Aid Committee to espouse the cause of the appellant and Mr.Hulke, learned A.P.P. for the respondent-State.

2. Mr.D'souza, learned Advocate submitted that, after the matter was listed on board for hearing, the High Court Legal Services Committee addressed a letter to the appellant indicating the date of final hearing. However, the said letter is returned by the Postal Department with a remark 'Expired'. The original envelope along with a photocopy thereof is produced for my perusal. A photocopy of the said envelope is taken on record and marked 'X' for identification. The original envelope is returned to the learned counsel for the appellant.

3. In view of the said fact mentioned by the Postal Department, the Appeal preferred by the appellant stands abated.

Appeal is disposed off as abated.

4. This Order will be digitally signed by the Personal Assistant of this Court. All the concerned will act on production by fax or e-mail of a digitally signed copy of this Order.

[A.S. GADKARI, J.]

Omkar S.
Kumbhakarn

Digitally
signed by
Omkar S.
Kumbhakarn
Date:
2020.10.07
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