

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1409 OF 2004

Municipal Corporation of Gr.Bombay)
through P.P.Dhawade, Legal Assistant of R/)
Central Ward, Municipal Corporation of Gr.)
Mumbai, Having office at Mahapalika Marg)
Fort, Mumbai-400 001)Appellant
V/s.
1) B.A.Tank & Ors.)....Respondents

None for appellant.
Ms.Pallavi Dabholkar APP for respondent no.2-State.

CORAM : K.R.SHRIRAM,J
DATE : 5.3.2020

P.C :-

1. This is an appeal impugning an order and judgment passed by the Metropolitan Magistrate, 39th Court, Vile Parle, Mumbai on 11.1.2002 acquitting respondent nos.1 & 2 of offences punishable under Section 351 read with section 475A(1) (b) of the Mumbai Municipal Corporation Act.

2. I have perused the judgment impugned, record and proceedings as well as the evidence.

KJ

3. On 3.3.2020 an order came to be passed dismissing Criminal Appeal No.1419 of 2004 filed by Municipal Corporation of Gr.Bombay against Smt.Sharda Sanghvi, Gala No.63, Indraprastha Shopping Center Basement, S.V.Road, Borivali (W), Mumbai.

4. For the case in hand, it pertains to Gala No.49 of the same Indraprastha Shopping Center Basement, S.V.Road, Borivali (W), Mumbai. The dates and offences alleged are also identical as in Criminal Appeal No.1419 of 2004. The only difference is Gala number is different and accused is different.

5. In view thereof and in view of the judgment dated 3.3.2020 in Criminal Appeal No.1419 of 2004, this appeal also requires to be dismissed and is accordingly dismissed.

(K.R.SHRIRAM,J)