

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

Cri. Writ Petition No. 518/2018

Allahabad Bank

..VS..

*Office of the Additional Commissioner of Police, Crime Branch (EOW),
Nagpur and ors.*

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Anil Padiyar, Advocate for the petitioner
Shri N.R. Patil, APP for respondent nos. 1 and 2/State
Shri D.M. Dixit, Advocate for respondent no. 6

CORAM : SUNIL B. SHUKRE AND
AVINASH G. GHAROTE, JJ.

DATED : 21/12/2020

Heard.

2. This petition is filed ostensibly to seek quashing and setting aside of some seizure/attachment notice issued by the respondents. The prayer no. 1 reads as under:

“1) quash and set aside the seizure/attachment notice issued by the respondents whereby the mortgage property of the petitioner as mentioned in para-5 is attached/seized in F.I.R. No. 205/2015 under section 420 of I.P.C.”

3. On 08.04.2019, this Court, finding that the notice which is said to be challenged in this petition was not filed alongwith petition, passed an order and granted

one chance to the petitioner for making amendments in the matter. The order dated 08.04.2019 reads as follows:

“The attachment order which has formed the basis of this writ petition, has not been placed on record. There is one order of attachment dated 11.4.2019, but it is not under challenge. In fact, this petition could be dismissed as misplaced. However, in order to give one chance to the petitioner, stand over to 15.4.2019. If the position is not made clear on the next date, the Court would proceed to pass appropriate order.”

4. The position which obtained on 08.04.2019, exists even today. The seizure/attachment notice forming the basis of this petition has not been filed on record. The petition is vague and so also the petitioner, it appears is still groping in the dark. Such a petition cannot be entertained and specially after indulgence has been shown by this Court to the petitioner for more than two years.

5. Accordingly, the petition stands **dismissed** with costs of Rs.5000/- (Rupees Five thousand only) which be deposited in this Court within four weeks from the date of this order, failing which, the costs shall be recovered from the petitioner-Bank as fine imposed in this case, by following the procedure prescribed in the Code of Criminal Procedure.

JUDGE

JUDGE