

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 2537 OF 2021**

Varadraj Shriyan and Ors. ...Petitioners
Versus
State of Maharashtra and Anr. ...Respondents

Mr. Ashish Chavan a/w Mr. Kunal Shinde and Mr. Jayesh Bhosale, for the Petitioners.

Ms. P. P. Shinde, A.P.P for the Respondent No.1 – State.

Mr. J. A. Udaipuri a/w Mr. J. R. Kshirsagar i/b M/s. Udaipuri and Co., for the Respondent No.2.

CORAM : REVATI MOHITE DERE, J.

DATE : 2nd AUGUST, 2021

P.C. :

1. At the outset, learned counsel for the respondent No.2 undertakes to file his Vakalatnama on behalf of the respondent No.2 in this petition, on or before 3rd August 2021. Statement accepted.

2. Since the orders impugned in the aforesaid petition are revisable, it would be appropriate to direct the petitioners to challenge the same before the Sessions Court.

3. Learned Counsel for the petitioners states that he will file an appropriate Revision Application in the Sessions Court, within two weeks

from today.

4. Learned Counsel for the respondent No.2, on instructions of the respondent No.2, who is present in Court, states that in the event there is any delay in filing the Revision Application, the respondent No.2 will not oppose the said delay caused in filing the Revision Application. Statement accepted.

5. In view of the aforesaid, the petition is disposed of as not pressed with liberty to file an appropriate Revision Application before the Sessions Court. In the event, there is any delay in filing the Revision Application, the Sessions Court shall consider the filing of the aforesaid petition in this Court as well as the statement made by the learned counsel for the respondent No.2. All contentions of the parties are kept open, on merits.

6. It is made clear, that this petition has not been heard on merits.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.