

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL REVISION APPLICATION NO. 367 OF 2015**

Art Electrical Industries

....Applicant.

Vs.

The State Of Maharashtra & Ors.

....Respondents.

Mr. Rohan Hogle i/by Paavani Chadha & Hrishikesh Mundargi for the Applicant.

Mr. Amit Palkar, APP for the Respondent No.1-State.

Mr. Siddhesh Pilankar i/by U.P. Warunjikar for the Respondent Nos. 2 and 3.

CORAM : A. S. GADKARI, J.

DATE : 16th MARCH, 2021.

P.C.:-

The present Revision Application is circulated by praecipe dated 9th March, 2021 by Advocate Ms. Paavani Y. Chadha. It is stated that, the present matter is of extreme urgency, as it is for quashing of FIR for an offence under Section 420 read with Section 34 of the Indian Penal Code and is pending since 2015, therefore, it may be listed on 16th March, 2016 before this Court.

As the grievance was made that, the present Application is pending since 2015, circulation was granted on priority basis for today.

2 Today, when the Application was called out for hearing, Mr. Rohan Hogle, learned counsel appearing for Advocate Ms. Paavani Y. Chadha, sought adjournment by raising a spacious plea that, the Board was

displayed on the website of the Bombay High Court, late in the night and therefore, he is unable to proceed with the matter.

This Court repeatedly requested Mr. Hogle, learned counsel appearing for Advocate Ms. Paavani Y. Chadha, to proceed with the matter, however he expressed his inability to do so. When this Court expressed its displeasure with such a practice adopted by him, he lastly submitted that, the matter may be kept back.

3 The record, in fact, shows that, Mr. Hrishikesh Mundargi is Advocate on record and Advocate Ms. Paavani Y. Chadha, has circulated the present praecipe dated 9th March, 2021 under her letter-head. It is to be noted here that, the said praecipe is absolutely silent about any authority given by Mr. Mundargi, the Advocate on record to Advocate Ms. Paavani Y. Chadha.

4 It is a fact that, all the Courts here are functioning as per the SOP approved by the High Court Administration. Matters are being circulated only after it is brought to the notice of the Court that, the said matter is really urgent. This Court would have granted said slot to some other important matter instead of the present Application.

The present Application for quashing of FIR is pending since 2015 and all of a sudden, Advocate Ms. Paavani Y. Chadha, realised that, there is a grave urgency in the matter on 9th March, 2021.

5 In view thereof, the Applicant is imposed with cost of Rs.10,000/- for unnecessarily circulating the present Application today before this Court.

The said cost of Rs.10,000/- be paid/deposited in the Account namely "High Court Legal Aid Fund", Account No.60045304283, IFSC – MAHB0000002 of the Bank of Maharashtra, Branch-Fort, Mumbai, 400 032, maintained by the High Court Legal Services Committee, Mumbai, Room No.105, 1st Floor, PWD Building, High Court, Mumbai and to furnish the details of such cost to the High Court Legal Services Committee, Mumbai and obtain the receipt thereof physically or through Email i.e. hlsc.mumbai@gmail.com which shall be the proof of such payment/deposit.

The said cost of Rs.10,000/- be paid/deposited within a period of two weeks from today.

6 If the said cost is not deposited within the same stipulated period, the present Application shall stand dismissed without further reference to this Court.

(A.S. GADKARI, J.)

Sanjiv S.
Mashalkar

Digitally signed
by Sanjiv S.
Mashalkar
Date: 2021.03.17
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