

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL WRIT PETITION NO. 5790 OF 2019**

Ramprasad Viswanath Gupta

...Petitioner

**Versus**

The State of Maharashtra & Ors.

...Respondents

...

Mr. Ramprasad V. Gupta Petitioner in Person present.

Mr. J.P. Yagnik, APP for State.

...

**CORAM : S. S. SHINDE &  
MANISH PITALE, JJ.**

**DATE : JANUARY 13, 2021.**

**P.C.:**

1. This petition is filed with following substantive prayer:-

*a. that this Hon'ble Court be pleased to issue a writ of Mandamus, or a writ, order of direction in the nature of Mandamus, directing the Respondent Nos. 1 and 2 to appoint Adv. Dr. Yug Mohit Chaudhry as Special Public Prosecutor at the cost of the State Government to conduct all the cases arising out of C.R. No. 246/2009 of Versova Police Station in the Bombay High Court.*

2. This Court while hearing the writ petition on 06.03.2020, passed the following order:-

1] Question is whether Advocate named by the petitioner should be appointed as Special Public Prosecutor and names Advocate should be assisted by woman Public Prosecutor as observed in paragraph 7 of this Court order dated 13<sup>th</sup> August 2014 in Criminal Writ Petition No. 2110 of 2014 or the State Government should be left free to appoint one of its Panel Advocate.

2] This Court is considering the controversy since 3<sup>rd</sup> February 2020.

3] On 25<sup>th</sup> February 2020, learned P.P. has informed the Court that the papers were pending with Office of D.G.P. for suitable remarks.

4] Today, learned P.P. submits that before the date scheduled for hearing of Criminal Appeal No. 854 of 2013 and all connected appeals, the appointment shall be made. He also submits that such appointed Advocate shall not obtain adjournment from the Court, hearing the matter, on that date on the ground that he has been instructed to appear recently.

5] Keeping all contentions of the petitioner open and as all appeals are to come up for hearing on 11<sup>th</sup> March

*2020, we place the present petition for consideration on  
16<sup>th</sup> March 2020.*

3. Mr. J.P. Yagnik, learned APP appearing for Respondent-State on instructions submits that Mr. Rajiv Chavan, Senior Advocate has appointed to represent the State in appeals.

4. The prayer of the Petitioner to appoint a particular advocate cannot be acceded to. In that view of the matter, we do not think it necessary to keep this petition pending. Hence, the writ petition stands disposed of.

( MANISH PITALE, J.)

(S. S. SHINDE, J.)