

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (APL) NO. 176 OF 2020

(Sau. Ashatai Mahadeorao Raut and others ..vs.. Ram Bhagwatrao Burangi and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A.V. Bhide, Counsel for the applicants,
Mr. Amit Bhate, Counsel for non-applicant 1,
Mr. N.Rao, Addl.P.P. for non-applicant 2/State.

CORAM : ROHIT B. DEO, J.

DATED : 01-09-2021

The learned Magistrate issued process for commission of offence under Section 13 of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977. The applicants approached the revisional Court seeking quashment on the ground that no cognizance could have been taken since the period of limitation would be one year from the date of alleged disobedience of the directions of the School Tribunal. The submission did not find favour with the revisional Court.

2. During the course of hearing, both the learned Counsel, appearing on behalf of the rival parties, agree that the aspect of limitation can be left open for the learned Magistrate to decide at the stage of final arguments, after the evidence is adduced.

3. In this view of the matter, this application is disposed of with liberty to the applicants to raise issue of limitation at the stage of final arguments. Needless to record, the learned Magistrate shall decide the issue on its own merits.

4. The application is disposed of accordingly.

JUDGE

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