

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT NAGPUR

CRIMINAL APPLICATION (APL) NO. 525 OF 2021

(SHRI VAIBHAV SURYAKANT JAIPURIA & ANR....VS.. THE STATE OF MAH.TH.R. SPECIAL
EXECUTIVE MAGISTRATE, SONEGAON DIVISION, DIST. NAGPUR)

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

Court's or Judge's orders

Shri S. P. Bhandarkar, Advocate for Applicants
Shri S. P. Deshpande, A.P.P. for Non-applicant

CORAM : Z.A.HAQ & AMIT B. BORKAR, JJ.

DATED : MAY 06, 2021.

By this application under Section 482 of the Code of Criminal Procedure, the applicants have challenged the show cause notice issued under Section 111 of the Code of Criminal Procedure. It is settled law that the scope of judicial review challenging the show cause is only to the extent of the order being without jurisdiction or the show cause notice is without jurisdiction or it is malafide. Prima facie, we are not satisfied that either impugned show cause notice is without jurisdiction or malafide.

Hence, criminal application is **dismissed**.

It is stated that the applicants have filed reply. The Sub Divisional Officer, who has issued Show Cause notice dated 27th March 2021 shall take into consideration the reply filed by the applicants and pass appropriate order in accordance with law.

The Sub Divisional Officer shall pass final order in relation to show cause notice dated 27th March 2021 till 15th June 2021.

Needless to say that the applicants shall be entitled to challenge the final order, if the order is adverse to the applicants.

(AMIT B. BORKAR, J)

(Z.A.HAQ, J.)