

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL INTERIM APPLICATION NO. 2050 OF 2022
IN
CRIMINAL WRIT PETITION 2711 OF 2018**

Adhikrao Anandrao Patil ...Applicant
Versus
Dasharath Shrirnag Mane And Anr. ...Respondents

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Mr. Adhikrao Anandrao Patil, Applicant in Person & Respondent No.2 in Writ Petition.

Mr. Sanjeev P. Kadam, Advocate for the Respondent In Interim Application.

Mr. S.R. Agarkar, APP for the Respondent – State.

CORAM : PRAKASH D. NAIK, J.

DATE : 4th AUGUST, 2022.

PER COURT:

1. This is an interim application preferred by the Respondent No.2 in Criminal Writ Petition No. 2711 of 2018.

2. The grievance of the petitioner is that order dated 7th April, 2022 passed by this Court extending the interim relief granted earlier was passed without giving notice to the applicant. Secondly, it is submitted that while admitting this Criminal Writ Petition No 2711 of 2018, this Court had observed in paragraph 5 of the said order, that interim relief granted earlier to continue as interim relief. It is contended that there was no interim relief. In this further submitted that the Judgment of the apex Court in the case of Asian Resurfacing of Road Agency Pvt. Ltd & Anr. V/s Central

Bureau of Investigation should be implemented in the letter and spirit, by complying the directions stipulated in the above Judgment. The proceedings under challenge in this petition are pending before the lower Court.

3. The learned Counsel for the Respondent in this application and for the petitioner in Criminal Writ Petition No.2711 of 2018 submitted that the petition was admitted by this Court on 17th March, 2021. On the basis of submissions of the applicant that there was no interim relief, no ground is made out for interfering in the order of 17th March, 2021. The petition is admitted by this Court. The cross-petition preferred by the applicant herein i.e. Criminal Writ Petition No.2211 of 2018 is also admitted vide order dated 17th March, 2021.

4. There is no reasons to interference in the order dated 17th March, 2021 on the basis of the submissions advanced by the applicant in person. The interim order was extended by this Court vide order dated 7th April, 2022, in the light of the decision of the apex Court. It is pertinent to note that the petition was admitted by this Court apparently considering the issues involved in the petition. Both the petitions are pending in this Court for final disposal. Hence, no relief can be granted in this application.

5. Interim Application stands rejected and disposed of.

(PRAKASH D. NAIK, J.)