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

CRIMINAL APPEAL NO. 1079 OF 2005

Mane Milk Centre ... Appellant
Versus
Raju Dattu Kukde and Anr. ... Respondents

Mr.Swapnil Telang i/b. Mr.Umesh Mankapure, Advocate for Appellant.
Mr.A.A.Garge, Advocate for Respondent No.1.

CORAM : S. M. MODAK, J.

DATED : 19th DECEMBER, 2022

P. C. :-

1. Learned Advocate for Appellant submitted that as submitted on the last date, he has sent a letter to his client – Appellant but the R.P.A.D., envelope has returned back with a remark party has left his address. Now, learned Advocate is not having any other address of the Appellant. He is at liberty to seek discharge by filing those documents.

2. Even learned Advocate for Respondent-Accused submitted that he has also sent R.P.A.D., letter and it is received as per the track consignment report on 10th December, 2022. That track consignment report is taken on record and marked as Annexure-X.

3. Matter be kept back.

Later on :-

4. Learned Advocate for Appellant tendered a copy of envelope addressed to the Appellant with a remark “left address”. It is taken on

record and marked as Annexure-Y. Learned Advocate for Appellant has performed his duty and he is discharged.

5. It is the duty of the Appellant to keep in touch with his learned Advocate. It seems that he is not interested. In each and every case, it is not required to issue notice to Appellant when his learned Advocate is discharged. This Court does not feel it necessary to issue notice to the Appellant. No purpose would be served by keeping the matter pending.

6. Hence, Appeal is dismissed for non prosecution.

(S. M. MODAK, J.)