

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

CRIMINAL WRIT PETITION NO.906 OF 2022

Satishchandra Purushottam Kale ...Petitioner
Versus
State of Maharashtra and Anr. ...Respondents

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Mr. Hitesh Vyas a/w Mr. Chandrashekhar Yadav, Advocate for the Petitioner.
Ms. Anjusha Satishchandra K., Respondent No.2 Present in Person.
Mr. Arfan Sait, APP for the Respondent – State.

CORAM : PRAKASH D. NAIK, J.
DATE : 30th JUNE, 2022.

PER COURT:

1. The learned counsel for the petitioner submitted that the appeal preferred by the petitioner as well as respondent No.2 viz Criminal Appeal No.317 and 318 of 2018 challenging the order passed by the trial Court are pending before the Sessions Court since-2018. In spite of orders of the Court the petitioner is not permitted to occupy the premises. The petitioner has preferred application before the appellate Court urging that the respondent No.2 is flouting the orders of the Court. Directions be issued to the Court to decide the appeals expeditiously.

2. Respondent No.2 submitted various factors are required to be considered to deal with the submissions of the learned counsel for the petitioner about entry of petitioner in the premises. The respondent is contesting the matter in person. Proceedings are

pending in several Courts. She is required to attend proceedings. In the event of Court expedites the hearing of appeal, Longer period granted to the Sessions Court to decide the appeal. She has to attend Court proceeding and look after welfare of children.

3. It is not necessary to go into the issues relating to occupancy of premises. The appeals preferred by both the parties are pending in the Sessions Court since 2018.

4. Considering the submission of both sides, the Sessions Court seized with the Criminal Appeal No. 317 and 318 of 2018 is directed to decide the appeals finally within the period of six months from today.

7. Writ Petition stand disposed of.

(PRAKASH D. NAIK, J.)