

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

**CR. APPEAL NO. 318 OF 2007
WITH
CR. APPEAL NO. 316 OF 2007
WITH
CR. APPEAL NO. 317 OF 2007
WITH
CR. APPEAL NO. 319 OF 2007
WITH
CR. APPEAL NO. 320 OF 2007
WITH
CR. APPEAL NO. 321 OF 2007
WITH
CR. APPEAL NO. 322 OF 2007
WITH
CR. APPEAL NO. 323 OF 2007**

Employees State Insurance Corporation ...Appellant
Versus
Dayal Saran Singh Virdhi And Ors. ...Respondents

....

Ms. Seema Chopda, Advocate for the Appellant in all Appeals.

Mr. Sandeep R. Karnik, Advocate for Respondent Nos. 1 & 2 in all Appeals.

Mr. S. H. Yadav, APP for the Respondent – State in all Appeals.

**CORAM : PRAKASH D. NAIK, J.
DATE : 14th FEBRUARY, 2022.**

PER COURT:

1. All these appeals are preferred under Section 378 of Cr.P.C. challenging the order of acquittal dated 6th October, 2006 passed by the learned Metropolitan Magistrate 25th Court, Mazgaon, Mumbai. The death certificate of respondent

No.1 is produced. The respondent No.2 is the proprietorship concern of respondent No.1. The respondent No.1 has expired on 15th October, 2021. The death certificate is taken on record. Learned counsel for respondent Nos.1 & 2 submitted that the certificate is produced by the son of respondent No.1.

2. Considering the fact that the respondent No.1 has expired and respondent No.2 is proprietorship concern of respondent No.1, all appeals stand abated.

3. Hence, I pass the following order:

ORDER

Criminal Appeal Nos. 318 of 2007, 316 of 2007,
317 of 2007, 319 of 2007, 320 of 2007, 321 of 2007,
322 of 2007 and 323 of 2007 are disposed off as abated.

(PRAKASH D. NAIK, J.)