

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

**INTERIM APPLICATION NO. 831 OF 2022
IN
CRIMINAL APPEAL NO. 35 OF 2010**

Popat Nathu Kamble

Since Deceased Through Legal Heirs

1. Rekha Popat Kamble And Ors.

...Applicants/Appellants

Versus

The State Of Maharashtra

...Respondent

....

Mr. Sandeep R. Karnik, Advocate for the Applicant/Appellant

Mr. S. V. Gavand, APP for the Respondent – State.

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

PER COURT:

1. This is an application for fixing the appeal for hearing.

The appellant has expired on 9th January, 2016 and the legal heirs of the appellant had preferred an application seeking leave to pursue the appeal. The said application is already granted.

2. Learned counsel for the applicant submitted that, in view of conviction, the appellant was deprived of gratuity fund and other benefits. The incident is of 2002. The appellant was convicted by judgment and order dated 11th December, 2009.

3. Considering the circumstances, hearing of appeal can be expedited. Hence, I pass the following order:

ORDER

- i.** Interim Application No. 831 of 2022 is allowed;
- ii.** Hearing of Criminal Appeal No.35 of 2010 is expedited.
- iii.** Criminal Appeal No.35 of 2010 be listed on final hearing board dated 4th April, 2022.
- iv.** Interim Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)