

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL INTERIM APPLICATION NO.1390 OF 2022
IN
CRIMINAL WRIT PETITION NO. 3499 OF 2019

Harita Sunil Parab and anr.Applicants
Versus
Smt. Shivani Vichare and ors.Respondents

Ms. Harita S. Parab for the Applicant.

Mr. J. P. Yagnik, APP for the Respondent-State.

CORAM : PRASANNA B. VARALE &
S. M. MODAK, JJ.

DATE : 4th MAY, 2022.

P.C. :

1. Mentioned out of turn.
2. The party-in-person by way of the present Application is seeking recall of order dated 18th March, 2022 and prays for hearing of her writ petition today itself. It is submitted by the party-in-person that though in some matters, there were orders directing the Respondents to file reply, till date the replies are not filed.
3. By order dated 18th March, 2022, we have considered the grievance of the party-in-person and directed the Registry to list the matter on a specific date i.e. on 22nd June, 2022 subject to verification by the Registry whether all these matters are ready for hearing and necessary compliance is done. The party-in-person submits that in these matters, there is urgency in one matter.

4. Considering the situation namely the paucity of time as of today and tomorrow, there are as many as more than 60 to 70 petitions are listed for admission and secondly this Court is amid of hearing of bunch of petitions. The learned counsel appearing for some of the petitioners in the said bunch of matters are heard. Today, the learned counsel appearing for two of petitions are required to be heard in the very bunch of petitions. In this bunch of petitions, the State is being represented though the Special Public Prosecutor, senior Advocate Mr. Rafiq Daga, and as the State is contesting party and the original complainant / informant is also party to the petition, it was necessary for this Court to hear the learned Special Public Prosecutor representing the State as well as the learned counsel representing the informant / complainant.

5. In this situation, we are unable to open a new matter for hearing, as such the prayer of the party-in-person for recalling of order dated 18th March, 2022 is rejected.

6. The Registry is directed to list the matters on the next scheduled date as per order dated 18th March, 2022, i.e. on 22nd June, 2022.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)