

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

***CRIMINAL INTERIM APPLICATION N.2428 OF 2022  
(FOR MODIFICATION OF THE ORDER DATED 1.7.2014)  
IN  
CRIMINAL WRIT PETITION NO.359 OF 2014***

Priya Vikas Aggarwal and Anr. ...Applicants

**IN THE MATTER BETWEEN:-**

Priya Vikas Aggarwal and Anr. ...Petitioners

Versus

The State of Maharashtra and Anr. ...Respondents

Mr. Prashant G. Karande a/w Mr. Sudam Patil, for the  
Applicants/Petitioners.

Ms. M. H. Mhatre, A.P.P for the Respondent No.1– State.

***CORAM : REVATI MOHITE DERE &  
PRITHVIRAJ K. CHAVAN, JJ.***

***DATE : 14<sup>th</sup> SEPTEMBER 2022***

**P.C. :**

1. By this application, the applicants seek clarification/correction of the order dated 1<sup>st</sup> July 2014, passed by this Court in the aforesaid writ petition being Writ Petition No.359 of 2014.

2. Learned Counsel for the applicants submits that inadvertently in the order dated 1<sup>st</sup> July 2014 whilst granting Rule, ad-interim relief was granted in terms of prayer clause 'B', when infact it ought to have been prayer clause 'D'. He submits that the mistake is evident, having regard to the fact that the prayer clause 'B' seeks compensation to the petitioners on the ground of illegal arrest whereas the prayer clause 'D' is for stay to the proceedings before the trial Court. He submits that the said mistake was realised by the applicants only recently, pursuant to which, the aforesaid application was filed.

3. Learned APP does not dispute the fact that it appears to be an inadvertent mistake, having regard to what is sought for in prayer clauses 'B' and 'D'.

4. The Hon'ble Judges who passed the order dated 1<sup>st</sup> July 2014, have since retired and having regard to what is stated aforesaid, it appears that the same is an inadvertent mistake.

5. Accordingly, the order dated 1<sup>st</sup> July 2014 passed in the aforesaid writ petition being Writ Petition No.359 of 2014, shall now read, as under:-

“Heard. Respondent No.2 wishes to file reply.  
Reply to be filed before the next date.

Rule. Rule is made returnable on 26-8-2014. In the meantime, there shall be ad-interim relief in terms of prayer clause ‘D’.”

6. Application is allowed and disposed of in the above terms.

7. All concerned to act on the authenticated copy of this order.

*PRITHVIRAJ K. CHAVAN, J.*

*REVATI MOHITE DERE, J.*