

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

***WRIT PETITION NO. 2522 OF 2022***

Suraj Bhagwat Sonawane

... Petitioner

**Versus**

The State of Maharashtra

... Respondent

...

Mr. Sunil Kumar a/w Mangesh Ghodke, Rohit Upadhyay, Jitendra Yadav,  
Ritesh Mishra, Anuj Tiwari, i/by M/s. Kumar & Associates for petitioner.

Mr. A.R. Kapadnis, A.P.P for the Respondent-State.

...

***CORAM : REVATI MOHITE DERE &  
SHARMILA U. DESHMUKH, JJ.***

***DATE : AUGUST 3, 2022***

**P.C. :**

1. By this petition, the petitioner seeks the following substantive relief:

*“a) That this Honourable Court be pleased to issue a writ of mandamus thereby directing the Respondent No.3 to issue direction for hearing and deciding the aforesaid appeal expeditiously as early as possible.”*

2. In the alternative, the petitioner seeks quashing and setting aside of the externment order dated 06.05.2022.

3. The grievance of the learned counsel for the petitioner is that the respondent No. 3 – The Konkan Commissioner, before whom the appeal is pending since 19.05.2022, is not available, in as much as, the said post is currently vacant. Learned APP does not dispute the said position. He, however, submits that the Collector, Raigad has been handed over the additional charge of the Konkan Commissioner. He states on instructions that the petitioner's appeal filed before the respondent No.3 – The Konkan Commissioner, will be decided by the Collector, Raigad expeditiously and in any event, within three weeks from the date of receipt of this order. Statement accepted.

4. In view of the aforesaid statement made by the learned APP, nothing survives for further consideration in the aforesaid petition.

5. The Writ Petition is disposed of accordingly.

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

***SHARMILA U. DESHMUKH, J.      REVATI MOHITE DERE, J.***