

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

**INTERIM APPLICATION NO.2480 OF 2022
IN
CRIMINAL APPEAL NO.849 OF 2018**

Avinash Navnath Lakade

.... Applicant

versus

State of Maharashtra & Anr.

.... Respondents

.....

- Mr. Rajaram Bansode i/b. Kiran Nikam, Advocate for Applicant.
- Mr. P. B. Kulkarni, Appointed Advocate through Legal Aid Committee.
- Smt. Veera Shinde, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 28th JULY, 2022**

P.C. :

1. This is an application for modifying order dated 07/06/2022 passed by this Court (Coram : A. S. Gadkari, J.).

2. It is noted in that order that the matter was called out on 06/06/2022, but nobody had appeared for the Appellant. It was again called out on 07/06/2022. But on this occasion also

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nobody appeared for the Appellant. On the previous occasion also i.e. on 09/03/2022, nobody had appeared for the Appellant. Therefore the Court was pleased to direct the High Court Legal Services Committee to appoint an advocate to represent and espouse the cause of the Appellant.

3. Accordingly, Mr. P. B. Kulkarni is appointed to represent the cause of the Appellant. However, this application is filed by the learned Advocate for the Appellant on record. He seeks permission to proceed with the Appeal in the interest of justice. Since Mr. Kiran Nikam was appointed by the Appellant as his Advocate to argue the Appeal, in the interest of justice, I am inclined to permit Mr. Nikam to pursue this Appeal and work out the matter at the final hearing stage. Mr. Kulkarni was appointed, as legal aid, he is relieved from the responsibilities of appearing in this matter. However, since the entire process of appointing Mr. Kulkarni had to be undertaken, some cost is required to be imposed on the Advocate Mr. Kiran Nikam.

4. I am quantifying the cost at Rs.500/-. The cost shall be paid to Advocate Mr. P. B. Kulkarni by Advocate Mr. Kiran Nikam and the receipt shall be produced on record before the Appeal is heard at the final hearing stage.
5. Appeal be listed for final hearing in the week commencing from 22/08/2022.

(SARANG V. KOTWAL, J.)