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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2726 OF 2022
IN
WRIT PETITION NO. 2141 OF 2014

S. Ramesh Kumar .Applicant

Vs.

Dhyan Investments & Trading Company Ltd. .Respondents
& ors.

Ms Teja Katdare, Advocate, for the Applicant in I. A. No. 2726 of 2022
Mr. Amit Desai, Senior Advocate a/w Mr. Firdosh Pooniwala, Mr. Ravi Gandhi & Mr. M. A. Kamdar i/b. Kanga & Co., for the Petitioner in W. P. No. 2141 of 2014

CORAM : NITIN JAMDAR AND N. R. BORKAR, JJ.

DATE : 22 AUGUST 2022

P. C.

. This Application is taken out by the Applicant/Original Respondent No. 4 in W. P. No. 2141 of 2014. The Respondent No. 4 is also added as an Accused in Special Case No. 2 of 1998. The Respondent No. 4 had sought to intervene in Writ Petition and the Intervention was granted. By this Application, the Applicant/Original Respondent No. 4 is seeking the following prayer :-

> *"(a) This Hon'ble Court be pleased to grant extension of liberty granted vide Orders dated 08/03/2022 and 01/06/2022 and grant permission to the Applicant to retain, for 20 weeks from 24/08/2022, his Passport bearing No. U926748 which was handed over to him by CBI as per Order dated 08/03/2022 passed in I. A. No. 2481 of 2021 in Writ Petition No. 2141 of 2014."*

2. Since the Respondent No. 4 is seeking this prayer in Writ Petition, we had asked the Learned Counsel as to why the same relief cannot be sought for from the Special court. The Learned Counsel for the Applicant submitted that since stay has been granted in this Writ Petition, the Learned Special Court is not entertaining the Application. The Learned Counsel for the Applicant states that there is an urgency in respect of Visa. The Writ Petition is being heard from time to time and it would take some time.

3. In these peculiar facts and circumstances, we find no impediment for the Learned Special Court to consider the Application made by the Applicant/Respondent No. 4. Liberty to the Applicant/Respondent No. 4 to move the learned Special Court accordingly for this limited purpose for the prayer clause as above. The Interim Application is accordingly disposed of.

4. To enable the Applicant/Respondent No. 4 to apply to the Learned Special Court, ad-interim order operating in this Application is continued for a period of two weeks from today.

(N. R. BORKAR, J.) **(NITIN JAMDAR, J.)**