

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.3075 OF 2023
WITH WP/1190/2019

VITHAL DAGDU KSHIRSAGAR
VERSUS
MANGAL W/O VITHAL KSHIRSAGAR

Mr. D. R. Jayabhar, Advocate for the applicant
Mr. N. C. Garud, Advocate for respondent

CORAM : R. M. JOSHI, J.

DATE : 12th OCTOBER, 2023

P.C. :-

1. When this Court has shown its disinclination to grant any relief to the applicant, learned counsel for the applicant, on instructions, seeks leave to withdraw the Criminal Application No. 3075 of 2023. Hence, application stands dismissed as withdrawn.

2. Learned counsel for the respondent submits that though he had no knowledge about the Criminal Writ Petition bearing No. 1190 of 2019, today, he came to know about the same.

3. Perusal of the said petition indicates that the above petition was filed in the year 2019 and the circulation thereof was obtained only on 28th August, 2023. The filing of the Criminal Application bearing No. 3075 of 2023 without challenging any order clearly indicates the intentions of

the applicant. Non appears for petitioner in Writ Petition. Hence, petitioner in Criminal Writ Petition No. 1190 of 2019 is put to notice as to why the petition shall not be dismissed.

4. Learned counsel for the respondent, on instructions, waives service of notice. He, however, claims that copy of the petition be directed to be provided to him.

5. Stand over to 23rd October, 2023.

(R. M. JOSHI, J.)

ssp