

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.467 OF 1997

Manohar Sadashiv Mane .. Appellant
Versus
The State of Maharashtra & Anr. .. Respondents

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Mr.Sunil Gosavi, Appointed Advocate for the Appellant.
Mr.Hiten Venegavkar for the Respondent No.2/UOI.
Mr.S.R.Agarkar, A.P.P. for the State/Respondent.

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CORAM: BHARATI DANGRE, J.
DATED : 27th OCTOBER, 2023

P.C:-

1. Heard the learned counsel Mr.Sunil Gosavi for the Appellant and the learned counsel Mr.Venegavkar for the CBI.

As was directed by the order dated 21/09/2023, Mr.Venegavkar has obtained the necessary instructions.

According to him, the Appellant-Manohar Sadashiv Mane has passed away on 23/10/2006 at the age of 69 years. Mr.Venegavkar has placed on record the Death Certificate issued by the Registrar (Birth & Death), Panvel Municipal Corporation alongwith the status report. The same is taken on record and marked '**X**' for identification. Further instructions by Mr.Venegavkar are to the effect that before his death, the

Appellant has already transferred the subject property in the name of his son and after that, the property has changed hands, as his son has sold the said property.

2. In the wake of the aforesaid, even the CBI realizes the futility of the entire exercise and, hence in the wake of the order dated 06/10/1997, when the Court did not stay the attachment, but a direction was issued to the CBI not to seal the property and not to dispose it off, unless the Appellant is given due notice. Further, by order dated 09/02/2005, it was noted that the sentence imposed by the trial Court was undergone by the Appellant and also he underwent the sentence in default for payment of fine.

3. As the above scenario is emerging, the proceedings must be given a full stop in the wake of the death of the Appellant. Hence, the Appeal stands disposed off as abated.

4. At this stage, I record my appreciation for Advocate Sunil Goswami for the efforts taken by him to represent the Appellant, on being appointed by this Court. The Legal Services Authority shall ensure the payment of legal remuneration due and payable to him within a period of six weeks from today.

(SMT. BHARATI DANGRE, J.)