

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

CRIMINAL WRIT PETITION NO.837 OF 2021

Waman Nadkarni

...Petitioner

Versus

The State of Maharashtra & Ors

...Respondents

Mr. Karan Mehta a/w Akash P. Shah & Ayesha Khatri, Advocate for
Petitioner.

Mr. A.R. Patil, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 04th SEPTEMBER 2023

PC :

1. This Petition is filed by the Petitioner with a prayer for directions to the Additional Chief Metropolitan Magistrate, 5th Court at Dadar to dispose of the C.C. No.820/PW/2014 in a time bound manner i.e., within twelve months. The Petitioner is the original Complainant and the Respondent Nos.2 to 5 are the original Accused. Learned Counsel for the Petitioner states that the Petitioner is a senior citizen aged 66 years.

2. On the previous occasion, this Court (Coram: Sandeep K. Shinde, J.) vide order dated 1st December 2021 had called for a

report from the trial Court regarding pendency of the matter. The learned trial Judge has sent a report dated 13th December 2021. The report states that on 1st December 2021, there were 8,300 pending cases before him. Most of the cases were bulky matters and in respect of huge financial scam. There were number of cases involving senior citizens. There were 181 cases in respect of domestic violence. Heavy Police Stations are also attached to the said Court. The said Court was designated to decide the cases filed under the Essential Commodities Act from the entire Mumbai City. The report states that the Court is heavily burdened. However, the fact remains that the present proceedings are pending for more than nine years. The Petitioner is a senior citizen, therefore, some urgency will have to be shown.

3. Hence, the following order:

ORDER

- i) The proceeding vide C.C. No.820/PW/2014 before the Additional Chief Metropolitan Magistrate, 5th Court at Dadar be included in the

category of senior citizens' cases.

- ii) The trial is expedited. The learned Magistrate shall consider the earlier matters involving senior citizens and depending on that fact, shall consider taking up this matter expeditiously.
- iii) All the pending Applications in this case including the discharge Applications, if any, shall also to be decided expeditiously.
- iv) With these observations, the Petition is disposed of.

(SARANG V. KOTWAL, J.)