

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 2300 OF 2023****IN****CRIMINAL WRIT PETITION NO. 1284 OF 2015**

Naina Ashok Singh

.....Applicant

Vs.

The State Of Maharashtra

.....Respondent

Mr. Jay Vora for the Applicant.

Ms. G.P. Mulekar APP, for the Respondent-State.

Mr. Naresh Satyanarayan Saboo, Respondent No.1 present in person.

**CORAM : A. S. GADKARI AND
SHIVKUMAR DIGE, JJ.****DATE : 26th JULY, 2023.****P.C.:-**

1) This is an Application for allowing the Applicant, Original Complainant, to withdraw the amount as per paragraph No.8 of the Order dated 30th April, 2015 passed in Writ Petition No.1284 of 2015.

2) Respondent No.1, Original Petitioner is personally present in the Court. Advocate for the Applicant identified him as a Respondent No.1. Respondent No.1 has given his no objection if present Application is allowed in terms of prayer clause (a).

3) Paragraph No.8 of the Order dated 30th April, 2015 passed in Writ Petition No.1284 of 2015 reads as under:-

“8. On the amount being deposited by the Petitioner, the Registry shall invest the same within four weeks from the date of deposit in any nationalized bank in the name of the respondent no.2 for a period of six years, and hand over the Fixed Deposit Receipt to the respondent no.2, on her making an appropriate application.”

Perusal of said Order indicates that, the Respondent No.1, Original Petitioner has deposited the said amount towards cost to be paid to the Applicant, Original Complainant.

4) Perusal of Application would indicate that, sufficient cause is made out for allowing the Application. Accordingly, Application is allowed in terms of prayer clause (a).

5) Assistant Registrar of the concerned Branch is directed to refund the amount as mentioned in paragraph No.8 of Order dated 30th April, 2015 passed in Writ Petition No.1284 of 2015 along with prayer cause (a) of the Application, to the Applicant/Original Complainant within a period of two weeks from the date of production of authenticated copy of the present Order with a precipe of the concerned Advocate in that behalf.

6) All the concerned to act on the basis of an authenticated copy of the Order of this Court.

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)