

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

CRIMINAL WRIT PETITION NO.2437 OF 2023

Chandrakant Chaganlal Shah
and another

.....Petitioners

Versus

State of Maharashtra
and another

.... Respondents

.....

WITH

INTERIM APPLICATION NO.2578 OF 2023

IN

CRIMINAL WRIT PETITION NO.2437 OF 2023

Mr. Tahir Hussain, Advocate for the Petitioners.

Mr. Chandrakant C. Shah, Petitioner No.1 present in-person.

Ms.M.R. Tidke, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 19th JULY, 2023

P.C. :

1. This Petition is filed through an Advocate for both the Petitioners. The Petitioner No.1 appears in-person and states that he wants to argue his case as a party-in-person and at the same time the Petitioner No.2's case will be argued by an Advocate. This procedure is not supported by any Rules and, therefore, I am not permitting this kind of

argument by different persons, one by a party in-person and another by an advocate.

2. Moreover, the challenge in this Writ Petition is to the order dated 17.4.2023 passed by the Additional Sessions Judge, Mumbai in Criminal Revision Application No.180/2021. Said Revision Application was preferred only by the Petitioner No.1. Therefore, in any case the causes of action for both the Petitioners are different. When I expressed this opinion, the Petitioner No.1 in person as well as learned counsel who has filed this Petition pray for withdrawal of this Petition with liberty to file separate Petitions for both the Petitioners.

3. Permission is granted. The Petition is allowed to be withdrawn with liberty to both the Petitioners to file separate Petitions. With this observation, the Petition is disposed of. With disposal of the main Petition, nothing further survives in Interim Application No. 2578/2023 and the same is also disposed of.

(SARANG V. KOTWAL, J.)