

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1222 OF 2024

The Senior Divisional Commercial Manager, Dr. J. Vijaya Krishna

VERSUS

The State Of Maharashtra And Others

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Advocate for the Petitioner : Mr. Golegaonkar Madhur A.

APP for Respondent/State : Ms. V.S. Choudhari

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CORAM : S.G. MEHARE, J.

DATED : AUGUST 05, 2024

PER COURT:-

1. Heard learned counsel for the petitioner.
2. Issue notice to the respondents.
3. Learned APP waives service of notice for respondent no.1/State.
4. It is the case of its kind wherein the petitioner has moved a revision petition before the Sessions Court. The matter was listed for final hearing. However, the counsel for the petitioner on panel applied for adjournment. The Court rejected the application and closed the matter for judgment. After passing the order of closing the matter for judgment after ten days, the judgment was delivered within ten days, no steps were taken by the petitioner. Now, the petitioner is blaming the Court that the Court did not heard him and passed an exparte order.

5. Considering the facts of the case, it is difficult to accept that in such a situation, the order of the learned Additional Sessions Judge is exparte. It is the petitioner who did not avail the opportunity to advance the argument though the case was closed for judgment and ten days after the rejection of the application to advance the argument. The Court is not at fault. The petitioner was at fault. The petitioner cannot take the disadvantage of the situation. There is no substance in the petition. Hence, the petition stands dismissed at the admission stage.

(S.G. MEHARE, J.)