

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

**CRIMINAL APPLICATION NO. 827 OF 2016
WITH
INTERIM APPLICATION NO. 2771 OF 2024
IN
CRIMINAL APPLICATION NO. 827 OF 2016**

Hussain Mohammed Shattaf @
Hussain Mehboob Khokhawala and
Anr. .. Applicants

Versus

Humaid Mohammed Humaid
Mohammed Shattaf and Anr. .. Respondents

**WITH
CRIMINAL APPLICATION NO. 828 OF 2016**

Hussain Mohammed Shattaf @
Hussain Mehboob Khokhawala .. Applicant

Versus

Humaid Mohammed Humaid
Mohammed Shattaf and Anr. .. Respondents

**WITH
CRIMINAL APPLICATION NO. 830 OF 2016**

Farida Mohammed Shattaf @ Farida
Hussain Khokhawala .. Applicant

Versus

Humaid Mohammed Humaid
Mohammed Shattaf and Anr. .. Respondents

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Mr. Ashwin Shete a/w Mr. Rohit Jain i/b Jayakar & Partners,
for the Applicants.

Mr. Kamar Ali Shaikh, for Respondent No. 1 in all matters.

Police Constable, A. S. Bhogade, (757), Lonavala City Police Station is present.

Mr. Y. M. Nakhwa, APP, for the State.

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**CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.
DATED : 6th AUGUST, 2024**

P.C:-

1. Three proceedings are listed before us; Criminal Application Nos. 827 of 2016, 828 of 2016 and 830 of 2016.

As far as Criminal Application Nos. 827 of 2016 and 828 of 2016 are concerned, Rule is granted on 24.01.2017, however it is informed that, Criminal Application No. 830 of 2016 is yet to be admitted.

Considering the submission advanced on behalf of the Applicants, since the dispute involved in all the three Applications arises out of the rival interest of the family members of one Mohammed Shattaf, in the wake of the fact that the two Applications are already admitted, we deem it appropriate to admit Criminal Application No. 830 of 2016.

Mr. Kamar Shaikh, the learned counsel waive notice for respondent No. 1 Humaid Mohammed Shattaf.

2. Interim Application No. 2771 of 2024 is filed in Criminal Application No. 827 of 2016, which is filed in an attempt to bring the subsequent events. The learned counsel for the contesting Respondents has no objection in allowing the

Interim Application.

As a result, Interim Application No. 2771 of 2024 is allowed by permitting the Applicants to amend Criminal Application No. 827 of 2016. The amendment shall be carried out within a period of one week from today. Amended copy of the Criminal Application No. 827 of 2016 shall be served upon the Respondents, within a period of one week thereafter.

Pursuant thereto, the contesting Respondents is at liberty to file an affidavit contesting the amendment which is being permitted to carry out.

It is also clarified that, in all the three Criminal Applications if the Respondents has not yet filed their response through affidavit, they are at liberty to file so, within a period of six weeks from today.

Upon the pleadings being completed, the parties are at liberty to circulate the Criminal Applications for fixing of a date for final hearing.

(MANJUSHA DESHPANDE, J.)

(BHARATI DANGRE, J.)