



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

22 CRIMINAL WRIT PETITION NO. 1072 OF 2024

Nikita Amit Agrawal

VERSUS

Amit Rameshkumar Agrawal

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Ms. Nikita Amit Agrawal, Petitioner, Party In Person,
Mr. Vishwajeet Ramesh Jain, Advocate for Respondent

CORAM : Y. G. KHOBRAGADE, J.

Dated : 17th February, 2025

PER COURT :-

1. The Petitioner, party in person present before this Court and seeks permission to file written notes of argument. Per contra, the learned counsel appearing for the respondent invited my attention to the orders dated 22.10.2024 and 24.01.2025, passed by this Court, which read as under:

(Order dated 22.10.2024)

“1. Mr. V. R. Jain, learned counsel appearing for sole Respondent made a grievance about non-supply of copies of annexures by the Petitioner along with the Petition.

2. The Petitioner personally appeared before this Court and stated that all the annexures are part and parcel of the various legal proceedings between her and the Respondent.

3. Needless to say that, as per the provisions of Bombay High Court Appellate side Rules, it is the duty of the

Petitioner to supply the copy of Petition along with all the annexures which have been annexed with the Petition and relied by the Petitioner along with paginated copy. In absence of said documents, it would not be proper to refer the documents by the Respondent while arguing the matter. Under these circumstances, the Petitioner is hereby directed to supply copies of annexures with index, synopsis and list of annexures within period of two weeks from today.

4. After such compliance is made, list the matter for admission on 13.11.2024.”

(Order dated 24.01.2025)

“1. The party-in-person is absent.

2. Today, the learned counsel for the Respondent raised a grievance that though this Court directed the Petitioner party in person to supply copy of the Petition along with annexures, within a period of two weeks therefrom, however, till date, no such copy is served upon him.

3. Under these circumstances, the petitioner herein, again called upon to furnish copy of the Petition with complete annexures to the counsel for the Respondent, on or before 07.02.2025, failing which the Petition shall stand dismissed for non prosecution.

4. Place the matter for further consideration on 14.02.2025.”

2. The Petitioner party in person stated that, on 16.05.2024, she has supplied copy of the petition to the respondent and copies of annexures were supplied on 12.01.2024. However, the learned

counsel for the respondent raised grievance about non supply of complete set of annexures.

3. In spite of above order, the applicant has not complied with both the orders, which indicates that the applicant does not wish to comply with the orders passed by this Court and wants to file a copy of written notes of argument.

4. The learned counsel appearing for the respondent produced copies of E-mail communications dated 12.11.2024 and 13.11.2024 received from the petitioner. In E-mail communication dated 12.11.2024, the petitioner herself stated that, only two annexures are not provided and said annexures are subject matter of Cri. Writ Petition No. 1072 of 2024 and would be provided after the issue is resolved. In E-mail communication dated 13.11.2024, the petitioner herself stated that copy of Index and Synopsis are attached with the E-mail and she had forgotten to share same as she thought that earlier she had shared the entire text of the Writ Petition except the annexures.

5. Therefore, it prima facie appears that the petitioner does not want to comply with the order of this Court. The Bombay High

Court Appellate Side Rules does not provide for supply of selective annexures annexed with Petition to the adverse party and without supplying copies of all annexures, the Petitioner wanted to argue the matter, which is not permissible. Therefore, the Criminal Writ Petition is dismissed.

(Y. G. KHOBRAGADE, J.)

JPChavan